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No. 21

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAHOOD).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
February 25, 2004.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: "Remember you are dust; and unto dust you will return."

Lord God, it was You who first spoke these words to Adam and Eve. Year after year, throughout every epic of recorded history, Your word echoes with humbling judgment. You remind us how frail and faulty human life really is. But You also give us time to change and become Your children of light.

Success, honor and all possessions sift through our fingers. Nothing truly lasts, except You, O Lord. The dawn of new life and the cycle of death follow each other as surely as daylight follows nighttime.

May personal conscience and the narration of humanity's crimes against humanity call forth repentance and efforts to set things right. So let the ashes of human deeds cry out to You.

O Divine Forgiveness, recreate Your people out of the ashes. Your phoenix flame can set us free. Your mercy endures forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kansas (Mr. RYUN) come forward and lead the House in the Pledge of Allegiance.

Mr. RYUN of Kansas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 264. Concurrent resolution authorizing and requesting the President to issue a proclamation to commemorate the 200th anniversary of the birth of Constantino Brumidi.

H. Con. Res. 358. Concurrent resolution authorizing the printing of "History of the United States Capitol" as a House document.

H. Con. Res. 359. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

### PROTECTING UNBORN VICTIMS OF VIOLENCE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, tomorrow this body will vote on Laci and Conner's Law, the Unborn Victims of Violence Act. This bill would make it a Federal crime to kill or harm an unborn child in the act of a Federal crime against a pregnant woman.

Opponents of this bill claim that this is about abortion. They are wrong. This bill actually protects the expecting mother. The bill identifies 68 existing Federal laws dealing with acts of violence and expands them to include harm to an unborn child.

In upholding Minnesota's unborn victims law, the Minnesota Supreme Court said, "The possibility that a female homicide victim may be pregnant is a possibility that an assaulter may not safely exclude."

Over half the States have unborn victims protection laws on the books. Many have been upheld by State courts. None have affected access to abortion.

Let us put politics aside and pass this bill. We need to protect victims of violent crime and their unborn children, and the bill does that. It offers a defense for those who cannot defend themselves. It makes criminals think twice before attacking a pregnant woman.

### COMMENDING BILL MCNEAL ON BEING NAMED THE NATIONAL SUPERINTENDENT OF THE YEAR

(Mr. ETHERIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I rise today to congratulate my good friend Bill McNeal on being named the National Superintendent of the Year by the American Association of School Administrators. I have worked with Bill for many years, and no one is more deserving than he is of this award.

Since the year 2000, Bill has served with distinction as the Superintendent of Wake County Public Schools in my congressional district in North Carolina. Wake County is a diverse community and one of the fastest-growing school systems in America.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Bill has demonstrated outstanding leadership in raising student performance by reaching out to all elements of the community and bringing folks together behind a shared vision of education excellence.

Just this week, *Forbes Magazine* named Wake County schools the number three school system in ranking among the best 100 large school districts in America. Wake County is now a showcase for successful education reform through bold leadership.

At a time when schools across America are facing budget cuts and struggling to comply with the President's No Child Left Behind unfunded mandates, Bill McNeal's accomplishments are proof again that real leadership in education reform is taking place every day in our schools.

I call on my colleagues to join me in commending Bill McNeal for this hard-earned recognition.

#### SUPPORTING THE UNBORN VICTIMS OF VIOLENCE ACT

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, after being brutally beaten and losing her unborn child in the process, Tracy Marciniak was told that her attackers would not be held accountable for her child's death. Under current Federal law, the only crime committed was assault. There was no acknowledgment for a grieving mother.

When Laci Peterson was found, she was not alone. The small body of her son Conner was with her. Laci's parents not only lost their daughter, but their grandson as well. Logic tells us that two bodies means that murder should be charged for two victims.

Thankfully, 29 States, including California, have enacted unborn victims laws to adequately punish the perpetrators of these heinous crimes. Because of this, the killer of Laci and Conner Peterson will not go unaccounted for for two murders.

It is time for the United States Congress to protect unborn victims of Federal crimes. It our responsibility to recognize the killing of a pregnant woman as an act that ends two lives and assign punishment accordingly.

The Unborn Victims of Violence Act would not only provide long overdue protection to unborn victims, but also help ensure justice and closure for the families. I urge Members to join me in seeking justice for women and their unborn children and the families they leave behind. I urge members to vote for the Unborn Victims of Violence Act.

#### RECOGNIZING 75TH ANNIVERSARY OF LEAGUE OF UNITED LATIN AMERICAN CITIZENS

(Mr. FROST asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, I am here to recognize the 75th anniversary of the League of United Latin American Citizens, the oldest and largest Hispanic organization in the country. Since its inception on February 17, 1929, LULAC has championed the cause of Latinos in the United States and Puerto Rico.

In 1930, the organization desegregated hundreds of public places, including barber shops, swimming pools, restaurants, hotels and others. The following year, LULAC helped organize and fund the case against the Del Rio, Texas, Independent School District, which was the first class-action lawsuit against a segregated Mexican school. Again in 1946 LULAC set its sights on ending segregation in schools through the *Mendez v. Westminster* lawsuit, which ended a century of segregation in California's public schools, and by 1948 it ended the segregation of Mexican children in the State of Texas.

By 1940, LULAC had sought to change the workplace for Hispanics, helping to file discrimination cases for the Federal Employment Practices Commission. LULAC was also crucial in earning Hispanics the right to vote by taking the *Hernandez v. the State of Texas* case to the Supreme Court in 1954.

Mr. Speaker, we all should recognize the valuable work of this organization.

#### IN SUPPORT OF THE UNBORN VICTIMS OF VIOLENCE ACT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, faced with the many grave threats to the sanctity of life in the modern world, the value of life from its very beginning must be affirmed, as must the right of every human being to have this primary good respected to the highest degree. As a mother, I feel duty-bound to speak out on behalf of those who have no voice, the innocent unborn child.

Under Federal law, an individual who commits a Federal crime of violence against a pregnant woman receives no additional punishment for killing or injuring the woman's unborn child during the commission of that crime. The Unborn Victims of Violence Act would narrow this gap in the law and would provide greater protection for women from crimes of violence.

Mr. Speaker, I urge my colleagues to pass this important legislation this week and send it to the President for his signature.

#### TRIBUTE TO SGT. THOMAS ROB- BINS AND THOSE WHO HAVE MADE THE SUPREME SACRIFICE PROTECTING AMERICA'S WAY OF LIFE

(Mr. McNULTY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, over the recent recess, I attended the funeral of Sgt. Thomas Robbins, a young man who grew up in my congressional district, who was recently killed as a result of injuries sustained in Iraq.

When I attended that funeral, it brought back many painful memories. Chief among them was the time in August of 1970 when I was called home to learn that my brother Bill had been killed in Vietnam. It made me think about my priorities and the need to remember that had it not been for all of the men and women who have served in the United States military through the years, the rest of us would not have the privilege of bragging about how we live in the freest and most open democracy on Earth.

Freedom is not free. We have paid a tremendous price for it. We continue to pay that price today, and we need to be grateful to all those who have served and especially those who have made the supreme sacrifice.

Mr. Speaker, I extend my sympathies to all of the members of Thomas' loving family, and all of his many friends, on this tragic loss. He now becomes one of the reasons why, when I get up in the morning, the first two things I do are to thank God for my life, and veterans for my way of life.

#### TRIBUTE TO NORMA KNUDSEN

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to pay tribute to a very special person, Norma Knudsen. Although she is one of the oldest members of the Spicer, Minnesota, Sunrise Lions Club at age 86, Norma continues to be one of their most active and devoted volunteers.

Norma has been a leader in efforts to restore and preserve the gift of sight by volunteering at various charity events like baseball games, barbecues and fish fries to benefit the Minnesota Lions Eye Bank, one of the most successful eye banks in the country. While this is laudable itself, it is even more remarkable when you consider that Norma suffers from macular degeneration, a devastating eye disease that has left her almost totally blind.

Because of her selfless efforts and the outstanding example she has been for the rest of us, Norma was recently presented the Helen Keller Award by the Spicer Sunrise Lions Club. There is no more deserving person for this award than Norma Knudsen. With her long track record of volunteerism, Norma has more than met Helen Keller's challenge to be a "knight of the blind in the crusade against darkness."

Mr. Speaker, I commend the fine efforts of Norma Knudsen to help bring sight to many who would have been left in the darkness.

## TRIBUTE TO STEVE NEAL

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, last week all of Chicago and all of those who read the Chicago Sun Times were shocked at the death of Steve Neal.

□ 1015

Steve Neal was one of the premier political columnists in the country. I was particularly shocked because I was scheduled to have lunch with Steve on Friday of last week. Steve Neal was one of the premier writers about politics and political action in the Nation. All of us are going to miss him, so I express my condolences to his family, his wife and children and say that all of our lives have been enriched by the opportunity to read the writings of Steve Neal.

ISRAEL SECURITY FENCE  
RESOLUTION

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, today there will be much focus across our country on a motion picture known as "The Passion of the Christ," and like millions of Christians, I cherish the sacrifice of Christ and welcome its remembrance. Also, like millions of Christians, I cherish Israel, as a Jewish State and as our staunchest ally in the Middle East.

After traveling to Israel last month and witnessing firsthand daily terrorist-attempted incursions into Israel to kill Israeli civilians, I realized in my heart that America must stand by Israel and by her efforts to protect her people in the construction of a security fence today.

In that spirit, joined by the gentlewoman from Nevada (Ms. BERKLEY) and a growing list of cosponsors, today I will introduce bipartisan legislation that expresses congressional support for Israel to construct a security fence in order to reduce terrorist attacks. Further, the resolution will condemn the United Nations General Assembly for requesting the International Court of Justice to render a legal opinion on the issue of the fence.

Like millions of Christians, I cherish Christ, and I cherish Israel and our relationship with her.

TIME TO ENACT NEW POLICIES  
FOR JOB CREATION IN U.S.

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, I rise today to speak about the jobless recovery. What an oxymoron that is.

Families in my district and around the Nation want to know, where are

the jobs? Only 296,000 jobs have been created since this President took office, well below the 2 million that he promised. These jobs, by the way, are being created and going overseas. That is what is really happening here in the U.S.

My district is hurting. I represent East Los Angeles and the San Gabriel Valley. Our unemployment is well over 10 percent. Hundreds of people continue to look for work.

When we talk about homeland security, we should also be talking about job security. It is time to enact policies that will truly stimulate the economy and create jobs at home. We should provide tax cuts for middle class families, tax incentives to keep jobs here in the U.S., and implement fair-trade agreements that respect and level the playing field.

GAO HUMAN CAPITAL REFORM  
ACT OF 2003

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, pursuant to the order of the House of February 24, 2004, I call up the bill (H.R. 2751) to provide new human capital flexibilities with respect to the GAO, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the order of the House of February 24, 2004, the bill is considered read for amendment.

The text of H.R. 2751 is as follows:

H.R. 2751

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 31.

(a) SHORT TITLE.—This Act may be cited as the "GAO Human Capital Reform Act of 2003".

(b) AMENDMENT OF TITLE 31.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 31, United States Code.

## SEC. 2. AMENDMENTS TO PUBLIC LAW 106-303.

Sections 1 and 2 of Public Law 106-303 (5 U.S.C. 8336 note and 5597 note) are amended by striking "for purposes of the period beginning on the date of the enactment of this Act and ending on December 31, 2003" each place it appears and inserting "October 13, 2000".

## SEC. 3. ANNUAL PAY ADJUSTMENTS.

(a) OFFICERS AND EMPLOYEES GENERALLY.—Paragraph (3) of section 732(c) is amended to read as follows:

"(3) except as provided under section 733(a)(3)(B) of this title, basic pay rates of officers and employees of the Office shall be adjusted annually to such extent as the Comptroller General shall determine, taking into consideration—

"(A) the principle that there be equal pay for substantially equal work within each local pay area;

"(B) the Consumer Price Index;

"(C) any existing pay disparities between officers and employees of the Office and non-Federal employees in each local pay area;

"(D) the pay rates for the same levels of work for officers and employees of the Office

and non-Federal employees in each local pay area;

"(E) the appropriate distribution of agency funds between annual adjustments under this section and performance-based compensation; and

"(F) such other criteria as the Comptroller General considers appropriate, including, but not limited to, the funding level for the Office, amounts allocated for performance-based compensation, and the extent to which the Office is succeeding in fulfilling its mission and accomplishing its strategic plan;

notwithstanding any other provision of this paragraph, an adjustment under this paragraph shall not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment."

(b) OFFICERS AND EMPLOYEES IN THE OFFICE SENIOR EXECUTIVE SERVICE.—Subparagraph (B) of section 733(a)(3) is amended to read as follows:

"(B) adjusted annually by the Comptroller General after taking into consideration the factors listed under section 732(c)(3) of this title, except that an adjustment under this subparagraph shall not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment;"

(c) CONFORMING AMENDMENT.—Section 732(b)(6) is amended by striking "title 5." and inserting "title 5, except as provided under subsection (c)(3) of this section and section 733(a)(3)(B) of this title."

## SEC. 4. PAY RETENTION.

Paragraph (5) of section 732(c) is amended to read as follows:

"(5) the Comptroller General shall prescribe regulations under which an officer or employee of the Office shall be entitled to pay retention if, as a result of any reduction-in-force or other workforce adjustment procedure, position reclassification, or other appropriate circumstances as determined by the Comptroller General, such officer or employee is placed in or holds a position in a lower grade or band with a maximum rate of basic pay that is less than the rate of basic pay payable to the officer or employee immediately before the reduction in grade or band; such regulations—

"(A) shall provide that the officer or employee shall be entitled to continue receiving the rate of basic pay that was payable to the officer or employee immediately before the reduction in grade or band until such time as the retained rate becomes less than the maximum rate for the grade or band of the position held by such officer or employee; and

"(B) shall include provisions relating to the minimum period of time for which an officer or employee must have served or for which the position must have been classified at the higher grade or band in order for pay retention to apply, the events that terminate the right to pay retention (apart from the one described in subparagraph (A)), and exclusions based on the nature of an appointment; in prescribing regulations under this subparagraph, the Comptroller General shall be guided by the provisions of sections 5362 and 5363 of title 5."

## SEC. 5. RELOCATION BENEFITS.

Section 731 is amended by adding after subsection (e) the following:

"(f) The Comptroller General shall prescribe regulations under which officers and employees of the Office may, in appropriate circumstances, be reimbursed for any relocation expenses under subchapter II of chapter 57 of title 5 for which they would not otherwise be eligible, but only if the Comptroller General determines that the transfer giving

rise to such relocation is of sufficient benefit or value to the Office to justify such reimbursement.”.

#### SEC. 6. INCREASED ANNUAL LEAVE FOR UPPER-LEVEL EMPLOYEES.

Section 731 is amended by adding after subsection (f) (as added by section 5) the following:

“(g) The Comptroller General shall prescribe regulations under which officers and employees of the Office in high-grade, managerial, or supervisory positions who have less than 3 years of service may, in appropriate circumstances, accrue leave in accordance with section 6303(a)(2) of title 5. Such regulations shall define high-grade, managerial, or supervisory positions and set forth the factors in determining which officers and employees should be allowed to accrue leave in accordance with this subsection.”.

#### SEC. 7. EXECUTIVE EXCHANGE PROGRAM.

Section 731 is amended by adding after subsection (g) (as added by section 6) the following:

“(h) The Comptroller General may by regulation establish an executive exchange program under which officers and employees of the Office in high-grade, managerial, or supervisory positions may be assigned to private sector organizations, and employees of private sector organizations may be assigned to the Office, for work of mutual concern and benefit. Regulations to carry out any such program—

“(1) shall include provisions which define high-grade, managerial, or supervisory positions, and provisions (consistent with sections 3702-3704 of title 5) as to matters concerning (A) the duration and termination of assignments, (B) reimbursements, and (C) status, entitlements, benefits, and obligations of program participants;

“(2) shall limit (A) the number of officers and employees who are assigned to private sector organizations at any one time to not more than 30, and (B) the number of employees from private sector organizations who are assigned to the Office at any one time to not more than 30; and

“(3) shall provide for the inclusion, in all reports submitted to the Congress under section 719(a) of this title, of a review of the work being done by all individuals participating in the program and an assessment of the effectiveness and usefulness of the program.”.

#### SEC. 8. REDESIGNATION.

(a) IN GENERAL.—The General Accounting Office is hereby redesignated the Government Accountability Office.

(b) REFERENCES.—Any reference to the General Accounting Office in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of the enactment of this Act shall be considered to refer and apply to the Government Accountability Office.

#### SEC. 9. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

##### (b) PAY ADJUSTMENTS.—

(1) IN GENERAL.—Section 3 and the amendments made by section 3 shall take effect on October 1, 2005, and shall apply in the case of any annual pay adjustment taking effect on or after that date.

(2) INTERIM AUTHORITIES.—In connection with any pay adjustment taking effect under section 732(c)(3) or 733(a)(3)(B) of title 31, United States Code, before October 1, 2005, the Comptroller General may by regulation—

(A) provide that such adjustment not be applied in the case of any officer or employee whose performance is not at a satisfactory

level, as determined by the Comptroller General for purposes of such adjustment; and

(B) provide that such adjustment be reduced if and to the extent necessary because of extraordinary economic conditions or serious budget constraints.

##### (3) ADDITIONAL AUTHORITY.—

(A) IN GENERAL.—The Comptroller General may by regulation delay the effective date of section 3 and the amendments made by section 3 for groups of officers and employees that the Comptroller General considers appropriate.

(B) INTERIM AUTHORITIES.—If the Comptroller General provides for a delayed effective date under subparagraph (A) with respect to any group of officers or employees, paragraph (2) shall, for purposes of such group, be applied by substituting such date for “October 1, 2005”.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 2751, as amended, is as follows:

#### H.R. 2751

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 31.

(a) SHORT TITLE.—This Act may be cited as the “GAO Human Capital Reform Act of 2003”.

(b) AMENDMENT OF TITLE 31.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 31, United States Code.

#### SEC. 2. AMENDMENTS TO PUBLIC LAW 106-303.

(a) AUTHORITIES MADE PERMANENT.—Sections 1 and 2 of Public Law 106-303 (5 U.S.C. 8336 note and 5597 note) are amended by striking “for purposes of the period beginning on the date of the enactment of this Act and ending on December 31, 2003” each place it appears and inserting “October 13, 2000”.

##### (b) SENSE OF CONGRESS.—

(1) VOLUNTARY EARLY RETIREMENT AUTHORITY.—Section 1 of Public Law 106-303 is amended by adding at the end the following:

“(e) SENSE OF CONGRESS.—It is the sense of Congress that the implementation of this section is intended to reshape the General Accounting Office workforce and not downsize the General Accounting Office workforce.”.

(2) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—Section 2 of Public Law 106-303 is amended by adding at the end the following:

“(g) SENSE OF CONGRESS.—It is the sense of Congress that the implementation of this section is intended to reshape the General Accounting Office workforce and not downsize the General Accounting Office workforce.”.

(c) ADDITIONAL LIMITATION RELATING TO VSIPS.—Section 2(b) of Public Law 106-303 is amended by striking paragraph (2) and inserting the following:

“(2) subsection (a)(2)(G) of such section shall be applied—

“(A) by construing the citations therein to be references to the appropriate authorities in connection with employees of the General Accounting Office; and

“(B) by deeming such subsection to be amended by striking ‘Code,’ and inserting ‘Code, or who, during the thirty-six month period preceding the date of separation, performed service for which a student loan repayment benefit was or is to be paid under section 5379 of title 5, United States Code.’”.

#### SEC. 3. ANNUAL PAY ADJUSTMENTS.

(a) OFFICERS AND EMPLOYEES GENERALLY.—Paragraph (3) of section 732(c) is amended to read as follows:

“(3) except as provided under section 733(a)(3)(B) of this title, basic rates of officers and employees of the Office shall be adjusted annually to such extent as determined by the Comptroller General, and in making that determination the Comptroller General shall consider—

“(A) the principle that equal pay should be provided for work of equal value within each local pay area;

“(B) the need to protect the purchasing power of officers and employees of the Office, taking into consideration the Consumer Price Index or other appropriate indices;

“(C) any existing pay disparities between officers and employees of the Office and non-Federal employees in each local pay area;

“(D) the pay rates for the same levels of work for officers and employees of the Office and non-Federal employees in each local pay area;

“(E) the appropriate distribution of agency funds between annual adjustments under this section and performance-based compensation; and

“(F) such other criteria as the Comptroller General considers appropriate, including, but not limited to, the funding level for the Office, amounts allocated for performance-based compensation, and the extent to which the Office is succeeding in fulfilling its mission and accomplishing its strategic plan;

notwithstanding any other provision of this paragraph, an adjustment under this paragraph shall not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment.”.

(b) OFFICERS AND EMPLOYEES IN THE OFFICE SENIOR EXECUTIVE SERVICE.—Subparagraph (B) of section 733(a)(3) is amended to read as follows:

“(B) adjusted annually by the Comptroller General after taking into consideration the factors listed under section 732(c)(3) of this title, except that an adjustment under this subparagraph shall not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment.”.

(c) CONFORMING AMENDMENT.—Section 732(b)(6) is amended by striking “title 5.” and inserting “title 5, except as provided under subsection (c)(3) of this section and section 733(a)(3)(B) of this title.”.

#### SEC. 4. PAY RETENTION.

Paragraph (5) of section 732(c) is amended to read as follows:

“(5) the Comptroller General shall prescribe regulations under which an officer or employee of the Office shall be entitled to pay retention if, as a result of any reduction-in-force or other workforce adjustment procedure, position reclassification, or other appropriate circumstances as determined by the Comptroller General, such officer or employee is placed in or holds a position in a lower grade or band with a maximum rate of basic pay that is less than the rate of basic pay payable to the officer or employee immediately before the reduction in grade or band; such regulations—

“(A) shall provide that the officer or employee shall be entitled to continue receiving the rate of basic pay that was payable to the officer or employee immediately before the reduction in grade or band until such time as the retained rate becomes less than the maximum rate for the grade or band of the position held by such officer or employee; and

“(B) shall include provisions relating to the minimum period of time for which an officer or employee must have served or for which the position must have been classified at the higher grade or band in order for pay retention to apply, the events that terminate the right to pay retention (apart from the one described in subparagraph (A)), and exclusions based on the nature of an appointment; in prescribing regulations under this subparagraph, the Comptroller

General shall be guided by the provisions of sections 5362 and 5363 of title 5."

#### SEC. 5. RELOCATION BENEFITS.

Section 731 is amended by adding after subsection (e) the following:

"(f) The Comptroller General shall prescribe regulations under which officers and employees of the Office may, in appropriate circumstances, be reimbursed for any relocation expenses under subchapter II of chapter 57 of title 5 for which they would not otherwise be eligible, but only if the Comptroller General determines that the transfer giving rise to such relocation is of sufficient benefit or value to the Office to justify such reimbursement."

#### SEC. 6. INCREASED ANNUAL LEAVE FOR KEY EMPLOYEES.

Section 731 is amended by adding after subsection (f) (as added by section 5 of this Act) the following:

"(g) The Comptroller General shall prescribe regulations under which key officers and employees of the Office who have less than 3 years of service may accrue leave in accordance with section 6303(a)(2) of title 5, in those circumstances in which the Comptroller General has determined such increased annual leave is appropriate for the recruitment or retention of such officers and employees. Such regulations shall define key officers and employees and set forth the factors in determining which officers and employees should be allowed to accrue leave in accordance with this subsection."

#### SEC. 7. EXECUTIVE EXCHANGE PROGRAM.

Section 731 is amended by adding after subsection (g) (as added by section 6 of this Act) the following:

"(h) The Comptroller General may by regulation establish an executive exchange program under which officers and employees of the Office may be assigned to private sector organizations, and employees of private sector organizations may be assigned to the Office, to further the institutional interests of the Office or Congress, including for the purpose of providing training to officers and employees of the Office. Regulations to carry out any such program—

"(1) shall include provisions (consistent with sections 3702 through 3704 of title 5) as to matters concerning—

"(A) the duration and termination of assignments;

"(B) reimbursements; and

"(C) status, entitlements, benefits, and obligations of program participants;

"(2) shall limit—

"(A) the number of officers and employees who are assigned to private sector organizations at any one time to not more than 15; and

"(B) the number of employees from private sector organizations who are assigned to the Office at any one time to not more than 30;

"(3) shall require that an employee of a private sector organization assigned to the Office may not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private sector organization from which such employee is assigned;

"(4) shall require that, before approving the assignment of an officer or employee to a private sector organization, the Comptroller General shall determine that the assignment is an effective use of the Office's funds, taking into account the best interests of the Office and the costs and benefits of alternative methods of achieving the same results and objectives; and

"(5) shall not allow any assignment under this subsection to commence after the end of the 5-year period beginning on the date of the enactment of this subsection.

"(i) An employee of a private sector organization assigned to the Office under the executive exchange program shall be considered to be an employee of the Office for purposes of—

"(1) chapter 73 of title 5;

"(2) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18;

"(3) sections 1343, 1344, and 1349(b) of this title;

"(4) chapter 171 of title 28 (commonly referred to as the 'Federal Tort Claims Act') and any other Federal tort liability statute;

"(5) the Ethics in Government Act of 1978 (5 U.S.C. App.);

"(6) section 1043 of the Internal Revenue Code of 1986; and

"(7) section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)."

#### SEC. 8. REDESIGNATION.

(a) IN GENERAL.—The General Accounting Office is hereby redesignated the Government Accountability Office.

(b) REFERENCES.—Any reference to the General Accounting Office in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act shall be considered to refer and apply to the Government Accountability Office.

#### SEC. 9. PERFORMANCE MANAGEMENT SYSTEM.

Paragraph (1) of section 732(d) is amended to read as follows:

"(1) for a system to appraise the performance of officers and employees of the General Accounting Office that meets the requirements of section 4302 of title 5 and in addition includes—

"(A) a link between the performance management system and the agency's strategic plan;

"(B) adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management system;

"(C) a process for ensuring ongoing performance feedback and dialogue between supervisors, managers, and employees throughout the appraisal period and setting timetables for review;

"(D) effective transparency and accountability measures to ensure that the management of the system is fair, credible, and equitable, including appropriate independent reasonableness, reviews, internal assessments, and employee surveys; and

"(E) a means to ensure that adequate agency resources are allocated for the design, implementation, and administration of the performance management system;"

#### SEC. 10. CONSULTATION.

Before the implementation of any changes authorized under this Act, the Comptroller General shall consult with any interested groups or associations representing officers and employees of the General Accounting Office.

#### SEC. 11. REPORTING REQUIREMENTS.

(a) ANNUAL REPORTS.—The Comptroller General shall include—

(1) in each report submitted to Congress under section 719(a) of title 31, United States Code, during the 5-year period beginning on the date of enactment of this Act, a summary review of all actions taken under sections 2, 3, 4, 6, 7, 9, and 10 of this Act during the period covered by such report, including—

(A) the respective numbers of officers and employees—

(i) separating from the service under section 2 of this Act;

(ii) receiving pay retention under section 4 of this Act;

(iii) receiving increased annual leave under section 6 of this Act; and

(iv) engaging in the executive exchange program under section 7 of this Act, as well as the number of private sector employees participating in such program and a review of the general nature of the work performed by the individuals participating in such program;

(B) a review of all actions taken to formulate the appropriate methodologies to implement the pay adjustments provided for under section 3 of this Act, except that nothing under this subparagraph shall be required if no changes are made in any such methodology during the period covered by such report; and

(C) an assessment of the role of sections 2, 3, 4, 6, 7, 9, and 10 of this Act in contributing to

the General Accounting Office's ability to carry out its mission, meet its performance goals, and fulfill its strategic plan; and

(2) in each report submitted to Congress under such section 719(a) after the effective date of section 3 of this Act and before the close of the 5-year period referred to in paragraph (1)—

(A) a detailed description of the methodologies applied under section 3 of this Act and the manner in which such methodologies were applied to determine the appropriate annual pay adjustments for officers and employees of the Office;

(B) the amount of the annual pay adjustments afforded to officers and employees of the Office under section 3 of this Act; and

(C) a description of any extraordinary economic conditions or serious budget constraints which had a significant impact on the determination of the annual pay adjustments for officers and employees of the Office.

(b) FINAL REPORT.—Not later than 6 years after the date of enactment of this Act, the Comptroller General shall submit to Congress a report concerning the implementation of this Act. Such report shall include—

(1) a summary of the information included in the annual reports required under subsection (a);

(2) recommendations for any legislative changes to section 2, 3, 4, 6, 7, 9, or 10 of this Act; and

(3) any assessment furnished by the General Accounting Office Personnel Appeals Board or any interested groups or associations representing officers and employees of the Office for inclusion in such report.

(c) ADDITIONAL REPORTING.—Notwithstanding any other provision of this section, the reporting requirement under subsection (a)(2)(C) shall apply in the case any report submitted under section 719(a) of title 31, United States Code, whether during the 5-year period beginning on the date of enactment of this Act (as required by subsection (a)) or at any time thereafter.

#### SEC. 12. TECHNICAL AMENDMENT.

Section 732(h)(3)(A) is amended by striking "reduction force" and inserting "reduction in force".

#### SEC. 13. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

(b) PAY ADJUSTMENTS.—

(1) IN GENERAL.—Section 3 of this Act and the amendments made by that section shall take effect on October 1, 2005, and shall apply in the case of any annual pay adjustment taking effect on or after that date.

(2) INTERIM AUTHORITIES.—In connection with any pay adjustment taking effect under section 732(c)(3) or 733(a)(3)(B) of title 31, United States Code, before October 1, 2005, the Comptroller General may by regulation—

(A) provide that such adjustment not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment; and

(B) provide that such adjustment be reduced if and to the extent necessary because of extraordinary economic conditions or serious budget constraints.

(3) ADDITIONAL AUTHORITY.—

(A) IN GENERAL.—The Comptroller General may by regulation delay the effective date of section 3 of this Act and the amendments made by that section for groups of officers and employees that the Comptroller General considers appropriate.

(B) INTERIM AUTHORITIES.—If the Comptroller General provides for a delayed effective date under subparagraph (A) with respect to any group of officers or employees, paragraph (2) shall, for purposes of such group, be applied by substituting such date for "October 1, 2005".

The SPEAKER pro tempore. The gentlewoman from Virginia (Mrs. JO ANN

DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

#### GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of the bill, H.R. 2751.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2751, the GAO Human Capital Reform Act of 2003. I want to thank the leadership for bringing this important legislation to the floor.

This legislation, which I introduced last year, has broad support in both Houses and on both sides of the political aisle. It was crafted in collaboration with Democrats on the Committee on Government Reform and the Senate Governmental Affairs Committee.

In essence, H.R. 2751 expands the management flexibilities that the GAO already has. Among its provisions, this legislation makes permanent the GAO's authority to offer early retirement and buyouts in order to provide GAO with the necessary tools to streamline and reshape its workforce. The legislation enhances GAO's ability to reimburse employees for relocation expenses and establishes an employee exchange program with the private sector in areas of mutual concern and positions where GAO has a supply-and-demand imbalance.

It also permits the Comptroller General to increase the annual leave benefits for employees who joined the GAO in mid-career. Right now, for example, even seasoned employees who joined the GAO with extensive experience in the private sector are only entitled to 13 days of annual leave for the first 3 years with the agency. That is the same amount of leave that is given to a recent college graduate. Under this legislation, they could receive up to 20 days a year.

Mr. Speaker, H.R. 2751 also changes the name of the organization from the General Accounting Office to the Government Accountability Office, which better reflects the agency's modern-day mission.

Most importantly, the GAO Human Capital Reform Act gives the Comptroller General more authority to reward employees for good work and establishes a meaningful pay-for-performance system. Annual pay raises would be based on individual performance, also taking into account inflation and differences in competitive compensation by locality.

At both the Subcommittee on Civil Service and Agency Organization,

which I chair, and the full Committee on Government Reform, this legislation received overwhelming bipartisan support. It is endorsed by the Comptroller General, the GAO Employees Advisory Council, and by outside observers of the civil service.

This legislation will be a great benefit to the GAO and to Congress, which relies heavily on the expertise and skill of the GAO employees. The GAO has been a leader in creating a performance-based environment and will continue to do so when this bill becomes law. I urge passage of H.R. 2751.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from Virginia (Chairman TOM DAVIS); the gentlewoman from Virginia (Chairwoman JO ANN DAVIS); the gentleman from California (Mr. WAXMAN), the ranking member; and their respective staffs for working so diligently to improve the General Accounting Office Human Capital Reform Act which we are considering today.

I believe that GAO is a good demonstration project for reform that may eventually be extended to the rest of the government. As a matter of fact, in the November 2003 issue of Washingtonian magazine, the GAO is listed as one of 50 great places to work in the D.C. area. GAO was noted for a pay system that rewards top performance, stability, upward mobility, and such benefits as repaying employees' student loans, on-site child care, and Metro subsidies. This does not mean that GAO is perfect, but it has set an example of how to prepare for and implement human capital flexibilities.

Unfortunately, I cannot say that for the Department of Defense and a host of other agencies that are asking for and receiving unprecedented exemptions from title V. Most agencies are simply ill equipped to manage such major reforms. We should be concentrating our efforts on government-wide reforms rather than agency-by-agency requests.

Having said that, several improvements were made to the bill during the subcommittee markup and subsequently by Ranking Member WAXMAN. The original bill did not contain any reporting requirements. I offered an amendment that requires GAO to submit an annual report to Congress on its use of flexibilities under the bill. Additionally, the original version of the bill only allowed enhanced annual leave for high-grade managerial or supervisory positions. My amendment changed that so it would apply to all GAO employees.

I also requested and received written assurance from the Comptroller General that GAO would provide the Subcommittee on Civil Service and Agency Organization with an annual report on pay adjustments received by women

minorities and veterans at the Government Accounting Office.

The gentleman from California (Mr. WAXMAN) insisted on additional changes to the executive program that have been incorporated into the bill. These changes include reducing the number of participants who can participate in the program, having the program sunset after 5 years, and ensuring that private employees working at GAO are subject to Federal ethics and conflict-of-interest laws, and do not have access to trade secrets. Now we have a responsibility to continue our oversight of agencies like GAO that have received human capital flexibilities to ensure that they are working and working in a fair and equitable manner.

Finally, I would like to take note that this bill has bipartisan and bicameral support, the result of doing civil service reform the right way; and I trust that we will learn from that as we continue to reform the government.

I support this bill and encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN), the ranking member of the Committee on Government Reform and Oversight.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

The House is considering this bill, which would give personnel flexibilities to the General Accounting Office. These flexibilities will help GAO in the recruitment and retention of its employees which, in turn, will allow GAO to do a better job in serving the Members of the Congress.

In general, I believe civil service reform ought to be done on a government-wide basis, not an agency-by-agency basis. A piecemeal approach creates a hodgepodge of personnel systems which limits the mobility of employees and increases the potential for unfair treatment.

Nevertheless, Comptroller General David Walker has made a very strong case for why GAO should be granted the personnel flexibilities in this bill. On that basis, I support the bill. I also believe that GAO would be an appropriate place to experiment with these reforms before we consider them for other agencies.

In developing this legislation, the Comptroller General consulted with GAO's employee representatives, gave guarantees to employees about their future pay, and worked with Members on both sides of the aisle in the Congress of the United States and in both the House and in the Senate. When the gentleman from Illinois (Mr. DAVIS),



the ranking member of the Subcommittee on Civil Service, and I expressed concerns about several provisions in the bill, the Comptroller General worked to find language that we could support. The end result is the bill that is before us today. It is a bipartisan bill. It has been improved by compromise, and it is supported by every member of our committee. For that reason, I would urge the Members of the House to accept the legislation as well.

As other agencies approach Congress for personnel flexibilities in the future, I hope they will look to GAO's consensus-building approach as a model. I want to thank the Comptroller General, the gentleman from Virginia (Chairman TOM DAVIS), and the gentlewoman from Virginia (Chairwoman JO ANN DAVIS) for their cooperation and, of course, our ranking member, the gentleman from Illinois (Mr. DANNY DAVIS). I urge my colleagues to support the bill.

□ 1030

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to engage in a colloquy with the gentlewoman from Virginia (Mrs. JO ANN DAVIS) to clarify our understanding regarding section 7 of this bill.

This section relates to the executive exchange program, which authorizes a small number of private sector employees to work at GAO. The bill states that these private sector detailees shall be considered GAO employees for the purpose of several Federal ethics provisions. In 1979 and 1999, the Justice Department stated that GAO employees are subject to 18 U.S.C. 208 and 209, which cover financial conflicts of interest. The Comptroller General has confirmed that it is a long-standing practice for GAO employees to be subject to these provisions.

Our understanding is that private sector detailees to GAO shall be subject to the financial conflict of interest provisions in 18 U.S.C. 208 and 209. My question is, does the Chair of the Subcommittee on Civil Service and Agency Organization have this same understanding?

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Illinois. I yield to the gentlewoman from Virginia.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, yes, that is our understanding as well.

Mr. DAVIS of Illinois. I thank the gentlewoman so very much, and I continue to urge support for the bill.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I thought we had one other speaker on his way, but I would just urge that the House pass H.R. 2751.

Mr. TOM DAVIS of Virginia. Mr. Speaker, please include the attached exchange of letters between Chairman BILL THOMAS of the Committee on Ways and Means and myself in the CONGRESSIONAL RECORD at the end of the debate on H.R. 2751.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Washington, DC, January 28, 2004.

Hon. WILLIAM M. THOMAS,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN THOMAS: Thank you for your recent letter regarding your committee's jurisdictional interest in H.R. 2751, the GAO Human Capital Reform Act of 2003. I appreciate all of your efforts to ensure that the Government Accounting Office has the resources it needs to effectively carry out its responsibilities.

I acknowledge your committee's jurisdictional interest in this legislation and appreciate your cooperation in allowing speedy consideration of the bill. I agree that your decision to forego further action on the bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I will support your request for outside conferees should there be a House-Senate conference on this or similar legislation.

Finally, I will include a copy of your letter and this response in the Congressional Record when the House considers the legislation.

Sincerely,

TOM DAVIS,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, January 28, 2004.

Hon. TOM DAVIS,  
Chairman, Committee on Government Reform,  
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN DAVIS: I am writing concerning H.R. 2751, the "GAO Human Capital Reform Act of 2003," which was reported by the Committee on Government on November 19, 2003.

As you know, the Committee on Ways and Means has jurisdiction over matters concerning the Internal Revenue Code. Sec. 7 of H.R. 2751 deems persons participating in the Executive Exchange Program to be an "employee of the General Accounting Office" for the purposes of section 1043 of the Internal Revenue Code, which governs ethics-related divestiture by government employees. However, in order to expedite this legislation for floor consideration we will not take action on this particular proposal. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2751, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,  
Chairman.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in strong support of H.R. 2751, the GAO Human Capital Reform Act of 2003.

Over the last couple of years, the Government Reform Committee has worked tirelessly to revitalize the federal civil service in an effort to bring the Federal workforce into the 21st century. In November 2002, Congress granted the new Department of Homeland Security the

authority to develop its own human resources management system, largely outside of the confines of the 50-year-old Federal civil service system. In June 2003, Congress authorized the Securities and Exchange Commission to utilize streamlined hiring procedures to address critical staff shortages at the Commission. In November 2003, Congress granted the Defense Department authority similar to Homeland Security to develop a human resources management system for its civilian workforce. In January of this year, Congress authorized a number of new workforce authorities for NASA that will enable the space agency to compete with the private sector in recruiting and retaining a highly specialized workforce.

Now GAO—a legislative branch agency that helped us to craft these reforms—has asked Congress to provide it with some of the same personnel flexibilities that we have provided to these other agencies. Civil Service Subcommittee Chair JO ANN DAVIS responded by introducing H.R. 2751, which would provide GAO with the authority to offer early buyout packages, base employee compensation on performance, offer additional relocation benefits, offer more flexible annual leave policies, and establish an executive exchange program with the private sector.

H.R. 2751 was developed in coordination with the minority members of the Government Reform Committee, the General Accounting Office and the Senate Governmental Affairs Committee, all in a bipartisan manner. We in this body rely on the GAO to ensure the performance and accountability of the Federal Government, and this legislation will assist the Comptroller General in ensuring a vibrant and effective workforce to meet this important task.

I urge Members to support this important legislation.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired.

Pursuant to the order of the House of Tuesday, February 24, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this bill will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings on motions to suspend the rules on which a recorded vote or the yeas and nays

are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later in the day.

# HONORING THE LIFE OF THE LATE RAUL JULIA

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 287) recognizing and honoring the life of the late Raul Julia, his dedication to ending world hunger, and his great contributions to the Latino community and the performing arts.

The Clerk read as follows:

H. CON. RES. 287

Whereas Raúl Juliá made his Broadway debut just a few weeks after arriving in New York City in 1964 in Calderon's "Life is a Dream";

Whereas Raúl Juliá, after only 3 years of living in New York City, was instrumental opening doors for nontraditional parts for Hispanic actors by taking the role of Demetrius in Shakespeare's "Titus Andronicus" at the New York Shakespeare Festival and Cradeau in Sartre's "No Exit";

Whereas Raúl Juliá was the busiest Hispanic Shakespearean actor in New York and the first to establish a decades-long association with Joseph Papp and the New York Shakespeare Festival;

Whereas Raúl Juliá began an impressive and productive 28-year association with Joseph Papp and the New York Shakespeare Festival as Macduff in the Festival's Mobile Unit, Spanish language production of Macbeth;

Whereas Raúl Juliá became the first Puerto Rican actor to conquer Broadway stages by having his work be nominated for 4 different Tony Awards in 10 years: "Two Gentlemen of Verona", "Where's Charley?", "Threepenny Opera", and "Nine";

Whereas Raúl Juliá provided a role model for millions of children in his role as "Rafael, the Fix-It Man" in Sesame Street;

Whereas Raúl Juliá was a dedicated leader in the fight against the rising rates of teen violence and cosponsored scriptwriting competitions for high school students as a way to encourage teenagers to express their emotions through art rather than through violence;

Whereas Raúl Juliá's dedication to help Hispanic-American film and television writers develop their work led him to co-found the Latino Playwrights Reading Workshops;

Whereas Raúl Juliá was instrumental in the formation of the now legendary Puerto Rico Traveling Theater, an off-Broadway nonprofit Puerto Rican theater that to this day continues to promote and showcase bilingual plays, new Hispanic playwrights and Spanish-speaking actors while bringing theater to those who cannot ordinarily afford it;

Whereas Raúl Juliá was a leader in the entertainment industry, particularly as a tireless mentor and role model to emerging Latino actors;

Whereas Raúl Juliá was a dedicated activist and humanitarian who in his lifetime became a major supporter and spokesperson for the Hunger Project, a nonprofit organization committed to the eradication of world hunger;

Whereas Raúl Juliá was tireless in his commitment to the Puerto Rican film industry and to the making of Spanish language films and continued to participate in small, independent, Spanish-language films even after having become a Hollywood star;

Whereas Raúl Juliá was an extremely successful stage, film and television actor who

never abandoned his Puerto Rican heritage, never changed his name and never gave up his accent, thereby becoming an enduring role model for hundreds of Latino actors;

Whereas Raúl Juliá received the Hispanic Heritage Award recognizing his many career achievements for the Latino community, including his involvement in "La Familia", a New York City outreach program for Latino families in need, the Puerto Rican traveling theater, the Museo del Barrio, and the New York Shakespeare Festival;

Whereas Raúl Juliá received the National Board of Review Best Actor prize for his interpretation of the political prisoner Valentin in the award-winning landmark film "The Kiss of the Spider Woman", an award he shared with his co-star William Hurt;

Whereas Raúl Juliá posthumously received the prestigious Emmy Award, Cable Ace Award, Golden Globe Award, and the SAG Award, given by his fellow actors for his most famous roles including Chico Mendes in "The Burning Season";

Whereas Raúl Juliá was proud of his Puerto Rican heritage and his life and work reflected his strong commitment to his culture and the people of Puerto Rico;

Whereas Raúl Juliá was given a state funeral in Puerto Rico and since that time there have been many awards and honors created in his name: a scholarship at Juliard, a scholarship given to a promising young actor for the purpose of studying and performing Shakespeare at the Joseph Papp Public Theater, the Raúl Juliá Award for Excellence given annually by the National Endowment for the Hispanic Arts in Washington, DC, El Teatro Raúl Juliá in San Juan Puerto Rico, and the Raúl Juliá Global Citizen Award, an annual award being given this year for the first time by the Puerto Rican Family Institute based in New York City;

Whereas Raúl Juliá was recognized by the Mayor of the City of New York with the creation of Raúl Juliá Day which was celebrated and commemorated in conjunction with Puerto Rican Heritage and Culture Month on November 21, 1994: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress recognizes and honors the life of the late Raúl Juliá, his dedication to ending world hunger, and his great contributions to the Latino community and the performing arts.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 287, the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the Committee on Government Reform, I rise in support of House Concurrent Resolution 287 that recognizes and honors the life of Raul Julia.

Mr. Speaker, this resolution celebrates the contributions of one of the most dynamic actors of our time. Born in San Juan, Puerto Rico, in March of 1940, Raul Julia began his incredible theatrical career at a very young age. He moved to New York City in 1964 to pursue his livelihood on a grander stage, and he quickly landed parts in a number of Spanish-language productions.

Raul Julia made his Broadway debut 4 years later in 1968 in a show called The Cuban Thing. He capitalized on his Broadway success to acquire a role as Rafael, the Fix-It Man on Sesame Street in 1971, but it was later that year when Julia earned his breakthrough part. He played Proteus in his first Shakespeare drama, two Gentlemen of Verona, for which he earned his first of four Tony Award nominations. Ultimately, Julia became a feature film star as well, starring most prominently in Kiss of the Spider Woman in 1985 and The Addams Family movies in the early 1990s.

Mr. Speaker, while we may best know Raul Julia for his elegance and success as an actor, this resolution appropriately emphasizes Raul Julia's remarkable humanitarian legacy. Julia worked closely with the Hunger Project, which is a nonprofit aid organization, to create the Raul Julia Ending Hunger Fund. Julia worked hard with very little fanfare to recruit individual and business sponsors to contribute to the fund for the purpose of providing food to the hungry worldwide. He was a diligent spokesman for both the Hunger Project, as well as the Raul Julia Ending Hunger Fund, and his efforts are worthy of commendation by this House.

In 1994, Raul Julia's noteworthy life was cut tragically short when he suddenly suffered a severe stroke and died shortly afterwards at the age of 54. However, I am very pleased that the House is remembering Raul Julia's legacy by considering this legislation today, and I urge all Members to support its adoption.

Mr. Speaker, I commend the gentleman from Illinois for his work to recognize Raul Julia.

Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

I, too, want to thank our colleague the gentleman from Illinois (Mr. GUTIERREZ) for introducing this resolution recognizing and honoring the life of Raul Julia.

Mr. Speaker, Raul Julia was discovered by the actor Orson Bean, who inspired him to leave his native San Juan, Puerto Rico, and immigrate to the United States in 1964. Over the next three decades, Mr. Julia enjoyed a stellar career as one of our finest stars of stage and screen.

His first love was always the stage, and he was one of the first Puerto Rican actors to make it big on Broadway. He was nominated for four Tony



Awards, including for his performance as Mack the Knife in the Threepenny Opera. He also boasted an impressive resume of Shakespearean work, beginning with his first starring role, the title character in *Titus Andronicus*, with the New York Shakespeare Festival. It was once said of this daring actor that he was always outrageous in his acting choices. He is larger than life all the time when he is on stage.

A wider audience grew to know him through his film work, an eclectic body of work that ranges from *Valentin*, the passionate revolutionary in *Kiss of the Spider Woman*; to the assassinated Salvadoran archbishop Oscar Romero in *Romero*; to the campy Gomez Addams in *The Addams Family*. Mr. Julia's last role, as the Brazilian rainforest activist Chico Mendez, won him posthumous Emmy and Golden Globe Awards.

Raul Julia took seriously his responsibility as a role model for young Latino actors to follow. He made it a point to embrace his Puerto Rican heritage, never changing his name or attempting to cover his accent, and still he resisted the sort of typecasting that all too often afflicts minority actors. In doing so, he quite clearly made a difference to any young Latino who aspired to be an actor.

In addition to his acting career, Raul Julia was tirelessly devoted to making the world a better place. For the last 15 years of his life, he was involved as a major supporter and spokesman for the Hunger Project, a group dedicated to ending world hunger. After his death in 1994, the Hunger Project created the Raul Julia Ending Hunger Fund in his honor, as well as the Raul Julia Global Citizen Award. Also in his honor, the Hunger Project extended its programs in Latin America, establishing programs in Mexico, Bolivia and Peru.

One of Mr. Julia's favorite quotes, which he released to the Washington Post in 1992, comes from Don Quixote: Maddest of all is to see things as they are, not as they ought to be.

Raul Julia, accomplished actor of stage and screen, international activist for the alleviation of worldwide hunger and role model for a whole generation of Latino actors, not only saw things as they ought to be, but did his level best to bring his vision to pass. For that he is worthy and deserving of this resolution in his honor.

I urge my colleagues to join with me in support of this important resolution.

Mr. Speaker, we reserve the balance of our time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Having no other speakers at this time, I simply urge all Members to support the adoption of House Concurrent Resolution 287, and I thank the gentleman from Illinois for introducing it.

Mr. ACEVEDO-VILA. Mr. Speaker, I rise today to demonstrate my support for H. Con. Res. 287 and encourage my colleagues to vote in favor of this important resolution honoring a very important man, Raul Julia. I re-

quest unanimous consent to revise and extend my remarks.

As the representative of the people of Puerto Rico, I am proud to address you today to honor the life and work of Raul Julia. Through his groundbreaking work in the theater, television, and film, his commitment to the improvement of the Latino community, and his dedication to ending world hunger, Raul Julia became a role model and inspiration for many.

After being discovered in a nightclub in Puerto Rico by actor Orson Bean, he moved to New York in 1964, when he was just 24 years old. He quickly found work in Broadway and paved the way for Latino actors by taking on nontraditional roles. He became a very well known Shakespearean actor, taking on roles like Othello and Edmund in *King Lear*, and was the first Hispanic to create a long lasting alliance with the New York Shakespeare Festival. His work on Broadway earned him 4 Tony Award nominations in the course of 10 years.

Julia also served as a role model for children through his portrayal of Rafael, the Fix-It Man in the popular children's television show *Sesame Street*, and appeared in multiple made-for-television movies. In addition to his theater and television credits, his film career was also very prolific and productive. Among his best-known roles are the political prisoner Valentin in *The Kiss of the Spider Woman*, Cardinal Oscar Romero in *Romero*, Gomez Addams in *The Addams Family* and its sequel, *Addams Family Values*, and slain Brazilian activist Chico Mendes in *The Burning Season*, for which he posthumously received Emmy, Golden Globe, Screen Actors Guild, and Cable Ace Awards.

In addition to his acting career, Raul Julia worked to improve the Latino community by becoming a leader in the fight against teen violence and a mentor to aspiring Latino actors. He created and cofounded multiple projects, such as the Latino Playwrights Reading Workshops and the Puerto Rico Traveling Theater, and became involved in other programs, such as "La Familia", and the Museo del Barrio. Additionally, he was a lifelong advocate for the Hunger Project, an organization committed to ending world hunger. For all his community involvement and his career achievements, he received the Hispanic Heritage Award in 1995.

Raul Julia was an exemplary Puerto Rican, and a brilliant role model for all. It is an honor for me today to rise and pay tribute to this great man's life and work. I strongly encourage this body to join me in praising this man's life by passing H. Con. Res. 287.

Mr. GUTIERREZ. Mr. Speaker, the resolution we are considering today, H. Con. Res. 287, commemorates the life and legacy of Raul Julia and recognizes his role in tearing down barriers for Latinos around the world.

Both on stage of off, on film and in the community, Raul Julia embodied the strength and spirit that made him a hero and a role model for so many actors and audiences alike.

He had that rare talent, and that unique ability to move people with each performance and to motivate them to embody the passion and purpose he brought to his craft.

Throughout his career, Raul Julia often declined traditional roles in Hollywood blockbusters and mainstream plays.

Instead, he sought out innovative and groundbreaking parts that tested his talents.

He shined as a Fellini-esque filmmaker in the Broadway musical *Nine*, touched our

hearts as slain Salvadoran Archbishop, Oscar Romero, and captivated audiences as political prisoner Valentin in the award-winning film, *Kiss of the Spider Woman*.

He also was able to show his depth as an actor with characters ranging from Gomez Addams in *The Addams Family* to Chico Mendes in *The Burning Season* to Rafael the Fix-it Man in *Sesame Street*.

But, what made Raul Julia so special and so one of a kind was that his work extended well beyond the stage and the screen.

As committed as he was to perfecting the parts he played, he was equally dedicated to the charitable causes he pursued.

That included the Hunger Project, a nonprofit organization focused on ending world hunger.

In 1987, Raul Julia told *Elle Magazine*, "There are 38,000 people dying of hunger each day and most are children. And, being a celebrity, I communicate about it as much as I can."

In addition to fighting hunger on the global stage, Raul Julia was equally involved in local causes by working with numerous nonprofits and social service agencies to help families in need.

He also was able to use his influence in the entertainment industry to create a culture that opened up new opportunities for Latino actors and writers to share their talents.

He was instrumental in the formation of the Puerto Rico Traveling Theater, which continues to promote and showcase bilingual plays and new Latino writers and actors.

It was this dedication and determination and vision that made Raul Julia a mentor and a model for so many.

When he passed away a decade ago, thousands of people attended his funeral in Puerto Rico to pay their respects and to acknowledge his enormous contributions.

They wanted to thank him for his courage and his character and his inspiration. And that is why it is so important that Raul Julia's memory lives on.

So that he can inspire the next generation of actors to rehearse harder and to reach farther.

And so that all people, regardless of race or country of origin, understand the importance of giving back to their communities and to addressing the problems plaguing our society.

Mr. Speaker, the passage of this resolution provides one more opportunity to pay our respects to the passion and the vision of this one-of-a-kind actor and outstanding humanitarian and activist.

And I urge its passage.

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today in support of H. Con. Res. 287, a resolution to honor the life and achievements of the late great actor, Raul Julia.

Julia was born in San Juan Puerto Rico on March 9, 1944. A precocious child, Julia discovered his talent for acting at the young age of 5. From then on he knew his destiny was the theatre. Upon graduation from the University of Puerto Rico, Julia was faced with a difficult choice between his parents' wishes and his own. They wanted him to continue to law school. He wanted to pursue an acting career. Finally, like so many Puerto Ricans, and so many aspiring actors, he left for New York.

In New York, it was Joseph Papp, founder of the New York Shakespeare Festival, who

gave Julia his first break after casting him as a lead in Shakespeare's *Titus Andronicus*. With the support of Papp and following in the paths blazed by native Puerto Ricans Jose Ferre and Rita Moreno, who had won acclaim for their stage and on screen performances, Julia became a Broadway star. He was nominated for four Tony awards and more importantly demonstrated that Puerto Ricans could play more diverse roles than the stereotypical roles they were usually given.

While the theatre was Julia's passion, it was film that made him immensely popular. On screen Julia once again proved that he was a diverse actor, starring in comedies, dramas and action films. Perhaps, most of us know him best from his role as Gomez Addams in the hugely successful *Addams Family* movies.

Julia passed away on October 24, 1994, at the age of 54. He left behind his wife of 28 years, two sons, and a multitude of shocked fans. He is sorely missed, not only for his great acting but for being such a great human being. He never succumbed to pressures to abandon his Latino-Puerto Rican heritage in order to succeed and as a result he opened doors for nontraditional parts for Hispanic Actors. What was more impressive about Julia was his dedication to the uplifting of others. He was a passionate supporter of The Hunger Project, a foundation devoted to the elimination of world hunger. For 17 years, he served as the Project's spokesperson. He also was a dedicated leader in the fight against the rising rates of teen violence and encouraged teenagers to express their emotions through art rather than violence.

Since his death, there have been many awards and honors created in his name. They include a scholarship at Julliard, the Raul Julia award given annually by the National Endowment for the Hispanic Arts in Washington, DC, and the Raul Julia Global Citizen Award. I am also proud to say that in June 1996, a new elementary school in my district in the Bronx, New York was dedicated as the Raul Julia Micro Society Dual Language School.

Mr. Speaker, for his accomplishments on stage and on screen and his unyielding desire to help those less fortunate than he, I ask that my colleagues join me in honoring the life of Mr. Raul Julia.

Mrs. MILLER of Michigan. Mr. Speaker, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 287.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. MILLER of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### BARBER CONABLE POST OFFICE BUILDING

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3690) to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the "Barber Conable Post Office Building".

The Clerk read as follows:

H.R. 3690

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. BARBER CONABLE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, shall be known and designated as the "Barber Conable Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Barber Conable Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

#### GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3690, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3690 that designates the post office in Batavia, New York, as the Barber Conable Post Office Building. All members of the New York State delegation have cosponsored this legislation.

Mr. Speaker, Barber B. Conable, Junior, was a wonderfully respected member of this body who served 10 terms from 1965 until 1985. His distinguished professional career included stints as president of the World Bank, as a Congressman, a New York State senator, an attorney, U.S. Marine Corps reservist, as well as a World War II veteran.

Barber Conable sadly passed away last November at the age of 81. This legislation will rename the post office in Batavia, New York, after him, in a town that he represented both in Congress and as a State senator as well for so many years.

Mr. Speaker, Barber Conable was perhaps best known for serving one 5-year term as president of the World Bank from July of 1986 until July of 1991. His commitment to fighting poverty all over the world made him a compassionate conservative who was well ahead of his time. Upon his passing, current World Bank president James

Wolfensohn said that Barber Conable "was a remarkable leader whose concern for the poor and passion to help improve their lives marked his tenure at the Bank."

In the Congress, Barber Conable toiled away for many years as a minority member of the House Committee on Ways and Means, ultimately rising to the post of ranking member. For nearly a decade, he was the House Republican Party standard-bearer on taxes, trade and Social Security.

Because he served in the minority, he often tried to use his wit to grab the attention of Members and others. The Congressman once mused, What is power? All it is is influence, and as long as people listen when I talk, I have got influence.

Unquestionably, people did listen when Congressman Conable talked. A Cornell law school-educated lawyer, he was a persuasive, confident speaker who often spoke completely off the cuff when debating intricate tax policy in the committee. Overall, political columnist George Will matter-of-factly stated, There has never been a better Congressman.

On behalf of the author of this legislation, the gentleman from New York (Mr. REYNOLDS), I want to extend the sincere sympathy of all Members of this House to the family of Barber Conable, especially to his wife Charlotte and his four children, Anne, Emily, Sam and Jane. I want to assure them that Barber Conable will never be forgotten.

Mr. Speaker, I thank the gentleman from New York for his work on H.R. 3690.

Mr. Speaker, I reserve the balance of my time.

□ 1045

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

As the ranking member of the House Committee on Government Reform, I am pleased to join my colleague in the consideration of H.R. 3690, legislation naming a postal facility in Batavia, New York, after Barber Conable. This measure was introduced by the gentleman from New York (Mr. REYNOLDS) on December 8, 2003. It was unanimously reported by our committee.

Barber Conable was born in New York. He attended Warsaw High School and Cornell University. After college, he served in World War II as a United States Marine. After the war, he obtained a law degree and began practicing law. He began his political career in 1962, when he first served in the New York State senate. From there, he ran for Congress, was elected to represent the 30th district in 1964, and he served on the House Committee on Ways and Means where he was active on tax issues. He represented his district for 20 years until his departure in 1985.

Now, that states the facts. Let me tell my colleagues that, from my own experience as a Member of Congress

who had the honor of serving with Representative Conable, that he was a very distinguished man. People on both sides of the aisle looked to him with respect. When he spoke, all of us listened. He was a man who embodied the civility that we all yearn for in the House of Representatives, a civility that looked to working out issues on a bipartisan basis, looking to treat each other with mutual respect, trying to find opportunities for Members of both parties to find common ground.

He left the House and went on to become president of the World Bank, a position he held for 5 years. Upon his retirement, Mr. Conable returned to his New York home. As a distinguished professor, he attended many events at the University of Rochester and was sought after as a brilliant and gifted speaker. Mr. Conable passed away in November of 2003.

Mr. Speaker, I commend my colleague for seeking to honor our late colleague in this manner. He well deserves whatever praise that we can give him as a very distinguished Member of the House, one who I think serves as a model for those of us who served with him and those who have followed and who yearn for the time when the House of Representatives is not just the partisan institution that we so often see today, but one that seeks to work in a bipartisan manner to look after the best interests of the people in this country and to bring our various perspectives both from our region and from our ideology to some kind of temper where we recognize that we have to all get together in order to do what is best for the American people.

Mr. Speaker, I urge all Members to support this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. REYNOLDS), my distinguished colleague and the sponsor of H.R. 3690.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, I thank the gentlewoman from Michigan for yielding me this time.

I rise before the House today to remember a great man, a mentor to many of us both in Congress today and Congresses of the past, and that is Barber Conable, who passed away a few months ago.

Barber Conable distinguished himself as a Member of Congress for 20 years and had the respect of his colleagues on both sides of the aisle. He was notable also for an esteemed academic career and his professional knowledge on a wide variety of issues, from taxes to Social Security, and his willingness to tackle any problem head on. Always lending a helping hand was a signature trait of Barber's. He never let partisanship get in the way of progress.

Barber Conable was the best example of what a public servant ought to be. He loved his country, his community, and his family. He never strayed from the strong values he was raised on. His genuine sophistication as a legislator came effortlessly, revealing the compassion and unselfishness that was the hallmark of his public service.

Today, it is fitting that we pay tribute to a great Congressman, a great public servant who never forgot the roots of his hometown and his community that we name the Batavia post office after Barber Conable. I appreciate the support of my colleagues not only from New York but throughout the Congress that have joined me in co-sponsorship of this legislation.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume to simply urge all Members to support the passage of H.R. 3690.

Ms. SLAUGHTER. Mr. Speaker, I rise today to support the designation of the post office located at 2 West Main Street in Batavia, NY, as the "Barber Conable Post Office Building." I want to commemorate the life and achievements of former Congressman Barber Conable. At the time of his retirement in 1984, he was ranking member of the House Committee on Ways and Means, bringing to it intellect and an unparalleled love and knowledge of the law. Barber passed away last year and I must say, Western New York has lost a true statesman.

He took time out of his law school courses and Cornell University to serve in the Pacific during World War II. Later, after completing his law degree, he served his country again in Korea.

Shortly after returning from Korea, he started his career in public service by running for and winning a seat in the New York State Senate. Two years later, he was elected to serve in the House of Representatives in a district representing parts of the City of Rochester, the western half of Monroe County, and Genesee, Wyoming, Orleans and Livingston Counties. From 1966 to 1986, Barber Conable's integrity, hard work, and determination created an environment in which Members worked with each other across party lines for the good of all Americans. As a result, he earned the respect of his colleagues, both Democrat and Republican.

It was an honor for me to be elected to serve a portion of the area he represented when I was first ran for Congress in 1988, and I take pride in continuing to serve the part of Western New York I know he loved so much. I remember when I first came to Congress, Barber came to visit me in my new office. We were both delighted to realize that I was occupying the very same office that he had occupied as a freshman. Barber was always so kind with his counsel and his advice. He was the greatest kind of friend.

Barber Conable will be remembered for a countless number of contributions he made during his years of public service. The spirit Barber Conable brought to the House of Representatives is inspirational and it is my hope that we will continue to remember and honor his memory.

Mrs. MILLER of Michigan. Mr. Speaker, I have no further requests for

time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 3690.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1419

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 2 o'clock and 19 minutes p.m.

## PROVIDING FOR CONSIDERATION OF H.R. 1997, UNBORN VICTIMS OF VIOLENCE ACT OF 2004

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 529 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 529

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1997) to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes. The bill shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, if offered by Representative Lofgren of California or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman

from New York (Ms. SLAUGHTER); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 529 is a modified closed rule that provides for the consideration of H.R. 1997, the Unborn Victims of Violence Act of 2004.

This rule provides for 2 hours of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

H. Res. 529 provides that the bill shall be considered as read for amendment. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying the resolution, shall be considered as adopted.

The rule further provides for the consideration of the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, if offered by the gentlewoman from California (Ms. LOFGREN) or her designee, which shall be considered as read, shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent.

H. Res. 529 waives all points of order against the amendment printed in part B of the report of the Committee on Rules and provides for one motion to recommit with or without instructions.

This is a fair rule, Mr. Speaker; and I urge all my colleagues in the House to join me in supporting its passage so that we can move on to considering the underlying legislation.

With respect to the underlying legislation, H.R. 1997, I want to commend the gentlewoman from Pennsylvania (Ms. HART) for introducing this legislation and the gentleman from Wisconsin (Mr. SENSENBRENNER), chairman of the Committee on the Judiciary, for bringing it to the floor this week.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, violence against women and children and all of humanity should never be tolerated. Bold, effective steps should be taken to reduce violence against women, children, and men, and particularly pregnant women. But H.R. 1997 is not about women, and it is not about children. It is about politics. It is an attempt to drive a wedge between women and their constitutional rights.

For decades, the constitutional right to privacy, which protects women and their reproductive rights, has endured attack after attack. This bill is an-

other deliberate strike at reproductive freedom and choice and is part of a nationwide strategy to overturn *Roe v. Wade* or to so undermine a woman's right to choose that it becomes meaningless in practice. The issue of violence against pregnant women is used to cloak the intent and the impact of this bill. Pregnant women are being used as pawns in an elaborate chess game to deny women self-determination and their constitutional rights.

The agenda is unmistakable. It has been clearly articulated by opponents of reproductive rights. A leader of an anti-choice legal group has said: "In as many areas as we can, we want to put on the books that the embryo is a person. The blastocoele is a person. That sets the stage for a jurist to acknowledge that human beings at any stage of development deserve protection. That would even trump a woman's interest in terminating a pregnancy."

H.R. 1997 would set such a stage, pitting rights against one another, and the woman's rights are not paramount. In an opinion that was issued earlier this year, Christine Durham, Chief Justice of the Utah Supreme Court, warned that "declaring a fetus to be a person entitled to equal protection would require not only overturning *Roe v. Wade* but also making abortion a matter of constitutional law, illegal in all circumstances, even to save the life of the mother."

During the Committee on the Judiciary's markup of this bill, the gentlewoman from Wisconsin (Ms. BALDWIN) offered an amendment that stated: "Nothing in this section shall be construed as undermining a woman's right to choose an abortion, as guaranteed by the United States Constitution, or limiting in any way the rights and freedoms of pregnant women." The amendment failed. If H.R. 1997 should not affect or interfere with a woman's right to choose, why then would the committee reject this simple statement reaffirming the rights as articulated in *Roe* and reaffirmed in *Planned Parenthood of Southeastern Pennsylvania v. Casey*?

In fact, debate on the constitutional right to choose is unnecessary in legislation that seeks to safeguard pregnant women. If protecting women from violence is the goal, the straightforward and noncontroversial solution is clear: pass the Motherhood Protection Act. It accomplishes the same ends, providing additional punishments for anyone who injures a pregnant woman and injures a fetus or causes a miscarriage. The Motherhood Protection Act does so without necessarily raising controversial constitutional issues. The bill could be sent to the President for his signature quickly and easily.

Rita Smith, the executive director of the Denver-based National Coalition Against Domestic Violence, said her group tried to work with lawmakers writing this legislation to make it more about protecting women. She said that they would not go down that road.

This seems to be more about trying to undo abortion.

Disappointingly, the bill does little to protect women. In our Federal system, criminal law is generally reserved to the States. This bill does nothing to address the many State crimes perpetrated against pregnant women. This bill would only create a separate criminal count on Federal offenses like terror attacks, interstate stalking, and acts on military bases or Federal land. If my colleagues are serious about reducing violence against women, then fully fund the Violence Against Women Act, which expanded protections for all women against acts of violence.

In fiscal year 2003, the Violence Against Women's Act was appropriated at \$100 million less than the fully authorized level. Programs for transitional housing and for Federal victims counselors and training for judges were not funded at all, which gives a lie to the fact this issue here is to protect women against violence. And rape prevention and education was funded at half its authorized level.

To protect women from violence without undermining reproductive freedom, I urge my colleagues to support the amendment in the nature of a substitute. The underlying legislation is a challenge to women's constitutional rights. Women's safety and welfare safety should not be pawns in an effort to overturn *Roe v. Wade*. Indeed, women are not being protected here. Women are being used.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from North Carolina (Mrs. MYRICK), my colleague on the Committee on Rules.

Mrs. MYRICK. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, when a baby is in the womb and someone violently attacks the mother and causes injuries or takes the life of that child, then the offender should be held responsible, and current law is unjust in that case. An individual who commits a Federal crime of violence against a pregnant woman receives no additional punishment for killing or injuring the woman's unborn child while committing the crime.

The Unborn Victims of Violence Act protects the unborn child from violent crime. Those who injure or kill the child will be charged with a separate offense. The legislation is being called merely symbolic by its opponents. But how many women in America would view the loss of their wanted unborn child through violent means as merely symbolic?

□ 1430

All we have to do is ask the woman who has just lost her child after a violent attack, it is not the same thing as a simple assault. Clearly it is more serious, and it is more emotionally jarring to that woman, and it should be treated accordingly.

Mr. Speaker, I strongly urge my colleagues to support this rule and to support the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for her leadership as the Chair of the Woman's Caucus and her continued leadership on the issues of protection for women and children.

I rise today to speak to the obvious, I think, confusion, but maybe attempt to confuse, because I believe if my colleagues were listening to this debate, they could not imagine why any of us would rise and have a difference of opinion, and any of us would rise in opposition to the rule or the underlying legislation, H.R. 1997. It seems on its face to be concerned about women and children.

Mr. Speaker, it is interesting that we are just a few days shy of the Peterson case. All of us know the enormous tragedy those families are experiencing in the loss of their beautiful daughter and the unborn child.

I would hope that U.S. attorneys and others who protect our society across the Nation would rise up and tell America the truth, and that is any time that there is an attack on a woman who happens to be pregnant, you can be assured there is a criminal provision, a law, by which U.S. prosecutors can pursue that defendant or that perpetrator of that horrible and horrific crime.

As a woman it would be an outrage for me to stand on this floor and suggest that I am not concerned about women across the Nation, young and middle-aged and old, that might be attacked by a predator, who attacked them on the basis of their sex, or attack them because they are pregnant or have conceived a child. Of course we know a woman looks different in different stages of her pregnancy, but it does not matter. If that woman has been injured, she has a remedy in the criminal courts, and, God forbid, if she has been murdered.

But the opposition to H.R. 1997 is because it is not intended on its face to only protect those harmed by a terrible criminal act. What it does is attack the woman who on the basis of the ninth amendment and *Roe v. Wade* has a right to choose her destiny.

First, H.R. 1997 creates a separate criminal offense for harm to an unborn child with a legal status equal to and separate from that of a woman. It means that any woman that chooses to get an abortion and/or the physician who does the abortion may be subject to criminal penalties.

Number two, it recognizes a member of the species *Homo sapiens* at all stages of development as a victim of crime from conception to birth. This

affords a fetus, embryo, and even a fertilized egg rights and interests separate from and equal to those of the woman. There is no recognition of the crime against the woman.

Mr. Speaker, this is a bogus representation of protecting pregnant women. The Lofgren substitute, on the other hand, creates a separate Federal criminal offense for assaulting a pregnant woman resulting in the injury or termination of a pregnancy without engaging in a debate over the rights of a fetus. That makes sense because what it does is it focuses on the problem, and the problem is that we want women, no matter what status they may have, pregnant or not pregnant, young or old, to be protected by the laws of this land. But what we are doing here is disregarding the laws of this land by making criminal women who have the right to make a choice on their own bodies with their pastors or religious leaders, their family, their loved ones. No other intrusive government should be involved in this process.

I am confused as to why on this floor we debate this question today when there are people who are hungry, there are people who are unemployed, there are soldiers who are dying in Iraq, there are people without health care, and yet this floor does nothing but criminalize innocent women who have the right under the law of this land to make a determination about their body and their future.

I think the better route would be that we recognize our responsibility to protect those victims of crime. I served as an associate municipal court judge, and I understand the difference between right and wrong and the responsibility of government to protect our citizens. This is not that type of legislation. I ask my colleagues to vote against the rule, and I ask them to vote against the underlying legislation.

Mr. Speaker, I am saddened to be here today, to once again stand up for the pro-choice movement and deflect efforts made to undermine it. This is not the first time we have visited this issue, and I fear it will not be the last.

It is also unfortunate, that this attempt to undermine all of our progress made with women's rights, Congress is closing the door to letting us hear other amendments. We must be a true democracy, and we must listen to one another on such a pertinent issue. If we are going to be legislating a woman's right to choose, I believe we are entitled to more input on this subject.

I am pleased to join my colleague, ZOE LOFGREN, in supporting her substitute, the Motherhood Protection Act. I believe this is a time for pro-choice members to come together across party lines and take effective action to protect a mother, while retaining her liberties and privacy.

Violence against women, especially pregnant women, is unacceptable and should be punished. I, along with the pro-choice community, am dedicated to preserving a woman's right to have a family when she chooses—and any criminal act that robs her of a hope-for future child is tragic and intolerable. Rather than

supporting such common-sense measures, my colleagues are instead promoting the Unborn Victims of Violence Act, described as "a sneak attack on a woman's right to choose." The loss of a wanted pregnancy is a tragedy, but solutions should be real, not political.

The Unborn Victims of Violence Act erodes the legal foundation of a woman's right to choose by elevating the legal status of all stages of prenatal development. If enacted, the legislation would be the first Federal law to recognize a fertilized egg, embryo or a fetus as a person who can be an independent victim of a crime. Our Supreme Court has held that fetuses are not persons within the meaning of the 14th amendment. Nowhere in this legislation is the harm to the woman resulting from an involuntary termination of her pregnancy mentioned. In fact, the pregnant woman is not mentioned at all.

The "Motherhood Protection Act" is a crime bill that is designed to protect pregnant women from violence. The Motherhood Protection Act embodies many of the same principles that I offered as amendments in the House Judiciary Committee, where Unborn Victims of Violence was originally introduced. I have always supported the intent of this bill, to protect the life of the pregnant mother who has suffered as a victim of a crime of violence and the viability of her pregnancy. However, I oppose the means which the drafters of the Unborn Victims of Violence Act have used to achieve its end. Like the Motherhood Protection Act, all my offered amendments referred to changing language in the bill, focusing on the pregnant mother instead of the fetus.

The Motherhood Protection Act creates a second, separate offense with separate, strict, and consistent penalties for assault resulting in the termination of a pregnancy or assault resulting in prenatal injury.

The Motherhood Protection Act recognizes the pregnant woman as the primary victim of an assault that causes the termination of her pregnancy, and it creates a separate crime to punish this offense. In this way, the bill accomplishes the stated goals of the Unborn Victims of Violence Act—the deterrence and punishment of violent acts against pregnant women—while avoiding any undermining of the right to choose.

The Unborn Victims of Violence Act fails to address the very real need for strong Federal legislation to prevent and punish violent crimes against women. Nearly one in every three adult women experiences at least one physical assault by a partner during adulthood.

We have State laws that already address crimes committed against pregnant women. The majority of States have statutes on the books that address criminal conduct that results in harm to a pregnancy. Many States punish murder or manslaughter of an "unborn child," as that term is defined by the State law. Some States punish assault, battery, or other harm resulting in injury or death to an "unborn child," as that term is defined by State law. For other States, if a crime committed against a pregnant woman results in termination of or harm to a pregnancy, the harm to the pregnancy is an adjunct to the crime or may be used as a sentence enhancement.

Congress can protect pregnant women from violence without resorting to controversial bills like the Unborn Victims of Violence Act that undermine *Roe v. Wade*. We must take strong

steps to prevent such attacks and must recognize the unique tragedy suffered by a woman whose pregnancy is lost or harmed as a result of violence. I am calling on Congress to support tough criminal laws that focus on the harm suffered by women who are victimized while pregnant, as well as a range of programs that promote healthy childbearing and family planning.

I hope my colleagues realize that the rule on the Unborn Victims of Violence Act is not sufficient, and more voices must be heard in these critical decisions. Thank you, Congresswoman LOFGREN, for taking appropriate action for trying to correct a bill designed to turn back decades of progress. I support the Motherhood Protection Act, and will continue to be a staunch advocate of the pro-choice movement.

I fully support a woman's right to choose, including a woman's right to choose to carry a pregnancy to term. Because Unborn Victims of Violence does nothing to protect women and because its clear intent is to create fetal personhood, I, along with Planned Parenthood Federation of America, oppose this legislation. Congress should adopt a more reasoned approach that would protect all women from violence.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

(Mr. NEUGEBAUER asked and was given permission to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, I rise today in support of H.R. 1997, the Unborn Victims of Violence Act. This bill will establish separate criminal offenses for the killing or injuring of an unborn baby during the commission of a Federal crime involving a pregnant woman.

While most States have passed fetal homicide laws, under Federal law there are currently no legal consequences for the killing or injuring of an unborn child during an attack on a pregnant woman. This bill will establish a Federal statute for what a majority of the States have already classified as criminal, the killing of a fetus or an unborn child.

As a Federal representative, it is essential that I take care of those who are at risk in society, and this legislation does just that. This is a question of justice in the name of those who do not have a voice. Opponents of H.R. 1997 claim that the loss of an unborn child only harms the mother. However, that poor accounting fails to consider the independent harm to another human being. Current Federal law is simply unjust and incomplete. Federal laws must not tell grieving mothers and families there was only one victim when, in fact, there were two.

Studies show that in some States murder is the leading cause of death of pregnant women, not complications from pregnancy. The Federal Government is lagging behind. While a majority of States have enacted statutes permitting the prosecution of a person for the murder of both a pregnant woman and her unborn child, injuring or killing an unborn child during the commis-

sion of a violent crime has no legal consequences under Federal law.

A recent study showed that 84 percent of Americans believe that prosecutors should be able to bring homicide charges on behalf of an unborn child killed in a womb. Unborn victims' legislation has withstood legal tests from an Illinois appellate court in *People v. Ford*, which concluded that a State's fetal homicide statute did not violate the equal protection clause of the 14th amendment and was not unconstitutionally vague. I believe this bill is constitutionally sound and provides the proper legal protection that unborn children deserve. I urge my colleagues to support this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, we are here again to consider the Unborn Victims of Violence Act, which has for several years unnecessarily mired what should be a laudable and uncontroversial effort to punish truly heinous crimes in the emotionally charged, and legally suspect, back alleys of the abortion debate. This is regrettable because real people are suffering real harm while this House has played abortion politics instead of punishing truly barbaric crimes.

This rule provides for consideration of this bill once again, and a reasonable substitute that will be offered by the gentlewoman from California (Ms. LOFGREN). That substitute would deal harshly with the perpetrators of these crimes, in some cases more harshly than would the underlying bill itself. It would also punish these offenders without treading into constitutionally suspect territory. From day one, it would be enforceable without question. I urge my colleagues to support the substitute and to oppose the underlying bill.

For those of who are prochoice, the right to choose extends not just to a woman's right to have an abortion, but to a woman's right to carry a pregnancy to term and to deliver a healthy baby in safety, if that is her choice. That is why we supported the Violence Against Women Act, that is why we support programs to provide proper prenatal care and nutrition to all women, that is why we support proper health and nutrition services after birth, and that is why we support other initiatives such as the Family and Medical Leave Act. Life does not begin at conception and end at birth. We have an obligation to these children and parents throughout and after the pregnancy.

Let there be no mistake, using physical violence against a woman to prevent her from having a child she wants is just as much an assault on the right to choose as is the use of violence against women who exercise their constitutional right to choose to end their pregnancies. A woman and only a woman has the right to decide whether and when to bring a child into a world,

not an abusive partner, not a fanatic, not a Congressman.

My colleagues should understand we are not talking here just about viable healthy fetuses who are ready to be born. This bill says "at any stage of development." That means any stage, including violence to embryos, violence to zygotes, violence to a blastocyst. I do not apologize to my colleagues who have in the past taken offense to the use of the correct medical terms for the subject matter we are discussing.

We should have no illusions about the purpose of this bill, that it is yet another battle in a war of symbols in the abortion debate in which opponents of a woman's constitutional right to choose attempt to establish that fetuses, from the earliest moments of development, are persons with the same legal rights as the adult women who are carrying them. The implication is that anyone who does not share the metaphysical slant of the radical antichoice movement that a two-celled zygote is a person on exactly the same basis, and with exactly the same rights, as a child or adult must secretly favor infanticide.

This bill, by making the destruction of a fetus, or even a zygote, crime against the fetus, without any reference to the terrible harm suffered by the pregnant woman speaks volumes.

Recognizing an embryo as a legal person is at odds with *Roe v. Wade*. The Supreme Court clearly said, "The unborn have never been recognized in the whole sense," and concluded that "person," as used in the 14th amendment of the Constitution, does not include the unborn." The rhetoric used by supporters of this bill urging that the law must "recognize the fetus as a victim" makes clear the purpose of this bill, which is a direct frontal assault on that holding in *Roe v. Wade*.

Rather than debate the abortion issue yet again, we should pass the Lofgren substitute that provides for the same severe penalties for the same terrible crimes without getting into the thorny issue of whether an embryo at 30 days of gestation is a legally recognized person. The Lofgren substitute provides for two separate crimes, one conviction for the assault and murder of the woman, and a new crime involving injury to the fetus or termination of the pregnancy. The major difference is that the Lofgren bill gives recognition to and imposes serious penalties for the additional and truly grotesque crime against the woman, not against the fetus.

If we are serious about this problem of violence against women, we have effective remedies at our disposal. If we want to play abortion politics, we have an appropriate vehicle before us to do that. Violence against a pregnant woman is first and foremost a criminal act of violence against a woman that deserves strong preventive measures and stiff punishment. According to the *Journal of the American Medical Association*, homicides during pregnancy,



and in the year following birth, represent the leading cause of death among women in the United States. Among nonpregnant women it is the fifth leading cause of death.

Mr. Speaker, it is a disgrace that while these preventable crimes continue to occur, Congress fiddles with largely symbolic legislation rather than taking affirmative steps to deal with the problem. Why has this Republican-controlled Congress and White House continually refused to fund fully the Violence Against Women Act? It appears that many of the Members who have signed on to this bill are the same ones who have voted to divert funds from protecting women from violence to protecting stock dividends from taxation.

No one who listened to the testimony we have heard in our subcommittee could be left unmoved by the murders and assaults against women who wanted nothing more than to have a child. We owe it to these women, and to those who are closest to them, to ensure that early intervention is available, and that States and localities receive the full resources of the Violence Against Women Act to prevent violence against women by intervening before the violence escalates to that level.

□ 1445

We must enact strong penalties which are not constitutionally suspect for these heinous crimes. We should not cloud that issue by plunging a legitimate law enforcement effort into the murky waters of the abortion debate.

Finally, this bill opens the door to prosecuting women, or restraining them physically, for the sake of a fetus. Some courts have already experimented with this approach. The last time we had occasion to consider this bill, the Supreme Court had just struck down a practice in the then sponsor's home State of South Carolina where a hospital would give the results of pregnant women's blood tests to local law enforcement for the purpose of initiating legal action against those women if they had used crack. Once we recognize a zygote, two cells, as having the same legal status as the pregnant woman, it would logically follow that her liberty could be restricted to protect it. The whole purpose of Roe was to protect that liberty interest. This bill would undermine it.

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong support of the rule and of the underlying bill, the Unborn Victims of Violence Act. I rise today as a pro-life Member of this institution to say that this bill is not about the debate over the sanctity of human life. This bill is just about justice.

The Unborn Victims of Violence Act recognizes that when a criminal attacks a pregnant woman and injures or kills her unborn child, he has claimed two human victims. The bill would establish that if an unborn child is injured or killed during the commission of an already defined Federal crime of violence, that this is in and of itself a crime. This is about justice, Mr. Speaker.

In current Federal criminal law, an unborn child is not recognized as a victim with respect to violent crimes. In fact, this is such a self-evident fact that at this point in time, 29 States have recognized fetal homicide for all or part of prenatal development, hardly a fringe issue on the edges of the American culture wars. Twenty-nine States in the Union have recognized this as a function of State law, and we attempt today to make it a part of Federal law.

Despite lots of talk, Mr. Speaker, that this is somehow by subterfuge about abortion, the bill explicitly provides that it does not apply to any abortion to which a woman has consented. And it is well established that unborn victims laws do not conflict with the Supreme Court's pro-abortion decrees.

This really is not just about the cold and sterile confines of law school and courtroom debates. This is really about compassion and about families and about tragic loss.

I would close on this remembrance, the words of Carol Lyons, whose 18-year-old daughter Ashley and unborn grandson Landon were murdered in Scott County, Kentucky, on January 7 of this year.

She said: "Nobody can tell me that there were not two victims. I placed Landon in his mother's arms, wrapped in a baby blanket that I had sewn for him, just before I kissed my daughter good-bye for the last time and closed the casket."

One story after another. Two victims of violent crime. This for once on this blue carpet is not a debate about life, about the most contentious issue of our time and our culture. This is about justice, this is about compassion, and this is about this Congress standing for what justice demands.

I urge my colleagues to support the rule and to support strongly the Unborn Victims of Violence Act.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Speaker, I rise to register my opposition to this rule and the underlying bill, and I rise to ask my colleagues to look at this legislation for what it is, not for what it claims to be.

We all agree that acts of violence against pregnant women are tragic, and our criminal justice system should respond decisively to them. Those committing these abhorrent crimes should be punished to the full extent of the law.

Unfortunately, the bill we will be considering under this rule has another

agenda, and that is to erode and undermine the Roe v. Wade decision by treating an embryo or fetus at any stage of development as an individual with extensive legal rights, distinct from the mother. But if we really want to punish crimes that are committed against pregnant women, we can do so in ways that do not tangle this issue with the abortion debate.

As a member of the Committee on the Judiciary, I was joined by several of my colleagues during the markup of this bill in offering amendments that would have extricated this issue from abortion politics by clarifying its purpose. My amendment, along with amendments offered by the gentlewoman from California (Ms. LOFGREN) and the gentleman from Virginia (Mr. SCOTT), sought to focus squarely on the issue of preventing and punishing violence against women and particularly pregnant women. The rejection of these amendments clearly reveals that supporters of this bill have another objective, and that is to legislate fetal personhood as a foundation for depriving women of their right to make their own reproductive decisions.

Violence against women remains a huge problem in today's society; and, yes, we absolutely should focus our efforts on addressing this issue. According to a Commonwealth Fund survey, nearly one in every three adult women experiences at least one physical assault by a partner during adulthood. That is a staggering figure: one out of every three women. And the risk of violence does increase for pregnant women. In fact, murder is the number one cause of death to pregnant women. But this bill will do nothing to protect pregnant women from violence. In fact, the bill makes no mention of the primary victim of violence, the pregnant woman, and instead creates a new cause of action on behalf of the unborn. This is a step backwards for victims of domestic violence. Once again, the attention of the legal system is being turned away from efforts to punish violence against women. Instead of protecting women, this bill lays the groundwork for establishing fetal personhood and eroding the foundation of a woman's right to choose.

I have long been a strong supporter of the Violence Against Women Act, which expanded protections for women against callous acts of violence. I believe we are better served by laws that protect women, pregnant and nonpregnant alike, from the violence than we are by creating a whole new legal framework to establish and protect fetal rights. By switching the focus of the crime from the pregnant woman to the unborn child, we are diverting attention from the problem we should be focused upon, violence against women. Think about it. You cannot do this sort of harm or cause these sorts of injuries to a fetus without harming and injuring the mother.

If we are sincere in our desire to punish crimes committed against pregnant

women, then we should be addressing that issue without tangling it in abortion politics. Let us abandon this thinly veiled attack on abortion rights that is the Unborn Victims of Violence Act and address the true issue by providing real punishments for criminals who attack pregnant women.

I urge my colleagues to vote against this rule and underlying bill.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, today I rise in support of the rule and the underlying bill, the Unborn Victims of Violence Act, and to urge my colleagues to pass this critical piece of legislation.

Mr. Speaker, it amazes me to hear the arguments of the opponents of this bill, not wanting to protect the rights and the will and the wish of this mother who chose the right to carry her child to full term and to protect the rights of the father for having justice against the murder of the child that they chose to keep. It just amazes me to hear that argument.

Recent studies by State health departments have shown that homicide is a leading cause of maternal mortality, as we heard our previous speaker say; and it results in the death of both the mother and her child, the child that she chose to carry. However, under current Federal law, there is only one victim. This bill is not about abortion. This bill is about, as my colleague from Indiana said, it is about justice: justice for that family, that father who has lost not only his wife but his child as well.

Mr. Speaker, this simply does not make sense. It is time for the Federal Government to recognize what the rest of the country already knows, that crimes against pregnant women create two victims, the mother and the child. We must afford pregnant women and their unborn children the full protection of the law that they deserve.

Mr. Speaker, our Nation's laws must protect our most vulnerable members of society and fully prosecute those who commit violent acts against them. By passing this legislation, we guarantee that protection for women and their unborn children, and we create a deterrent against future attacks on women of childbearing age. I do not see how this bill takes away any rights of protecting those women who are harmed by violence. This is not taking the focus off that. This is just adding justice for that family who has lost not only the mother but the child as well.

I urge the House to pass the rule and the underlying bill, the Unborn Victims of Violence Act.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I first of all want to thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

I rise, Mr. Speaker, in opposition to H.R. 1997, the Unborn Victims of Violence Act. A pregnant woman is probably one of the most vulnerable members of our society. Nearly one in three women report being physically assaulted during pregnancy and murder is the leading cause of death among pregnant women. However, H.R. 1997 does nothing to protect pregnant women from violence. Rather, it creates a new cause of action on behalf of the unborn. The result would be a step backward for victims of domestic violence by once again diverting the attention of the system away from punishing violence against women to punishing violence against an unborn fetus.

I heard my colleague earlier talk about compassion and talk about justice and try and stir this body to pass legislation that is absolutely not needed, to pass legislation that only carries favor with a certain portion of the people of these United States. I compare it to the currying of favor with those who would oppose same-sex marriages. I would say to my colleagues that if we spent all of the time that we spend on legislation like this and talking about constitutional amendments and directed it towards guaranteeing every child in the United States a right to an education, or guaranteeing every person in this country a right to health care, or guaranteeing every person in this country a right to a job, or guaranteeing every person an opportunity to live in a home that is safe and in a safe neighborhood, we would spend our time a whole lot better.

H.R. 1997 marks a major departure from current Federal law by elevating the legal status of a fetus at all stages of development. We could have passed several of the alternatives that were proposed by my colleagues that would have dealt squarely with the issue that is before us versus inflaming a division or running a knife between parts of this country on divisive issues such as abortion, such as same-sex marriages.

I just call upon my colleagues to stop putting forth legislation whose real intentions are covered by the intentions that they put forth in the legislation or put forth on the floor. I would encourage all of my colleagues to vote against the rule and vote against the underlying bill. If we really want to protect women, let us fund the COPS program so that there will be more police officers out on the street. If we really want to protect women, let us fund fully the Violence Against Women Act. If we really want to protect women, let us begin to teach young men, and young women as well, the importance of playing fair and not being involved in violence and other things. But this legislation will not do it.

Mr. LINDER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding time.

Mr. Speaker, why would Planned Parenthood and a virtual who's who of

abortion activists in America so vehemently oppose the Unborn Victims of Violence Act and promote a gutting substitute in its stead? Why would they take a position so extreme that 80 percent of Americans oppose it?

Why is it that on the floor of this House, so many intelligent, talented, and gifted lawmakers to whom so much has been given are going to such great lengths to deny basic protections in law for an unborn child who has been shot, beaten, stabbed, or otherwise mauled by an attacker, even taking the irrational step of opposing a definition that was overwhelmingly passed in this body 417 to zero?

Could it be that America's abortion culture, a culture of death, has so numbed our hearts and dulled our minds that we have become unwilling, or perhaps incapable, of recognizing the obvious? Could it be denial with a capital D?

Amazingly, as a result of breathtaking breakthroughs in medicine, today unborn children are often treated as patients in need of curative procedures in healing just like any other patient. Is the concept of an unborn child as a victim really so hard to grasp, even when we are not talking about abortion, but assault by a mugger? Have the soothing voices of denial by credentialed people, especially in medicine and the media, ripped off our capacity to think?

□ 1500

Has the horrific spectre of almost 45 million poisoned or dismembered babies legally enabled by *Roe v. Wade* robbed us of our capacity to see and understand and empathize? Is it a lacking in logic or courage or common sense or compassion? Have unborn children become mere objects, a dehumanizing and deplorable status that feminists rightly rebel against? Should a mugger, like an abortionist, have unfettered access to maim or kill a baby without triggering a separate penalty for the crime?

For years, Mr. Speaker, Congress has updated and strengthened laws and stiffened penalties for those who commit violence against women, and that is as it should be. In December of last year, President Bush signed my comprehensive antitrafficking legislation, the Trafficking Victims Protection Act of 2003, and before that President Clinton signed landmark legislation that I authored the Victims of Trafficking and Violence Protection Act, 2000. I would remind my colleagues that included in my law as Division B was the Violence Against Women Act, a \$3.2 billion 5-year authorization for a multitude of efforts to mitigate Violence Against Women, provide shelters, and a myriad of protection initiatives.

So women who are victims of violence clearly need every legal protection, shelter and assistance a caring society has to muster, but I would respectfully submit to my colleagues so do children. A victim is a victim, it

seems to me, no matter how small. Why is it so difficult to recognize an unborn child as a victim who is also capable of suffering severe trauma, disfigurement, disability, or even death? Unborn children feel pain when they are shot or beaten. They bleed and they bruise easily. Unborn children are as vulnerable as their mothers to an assailant wielding a knife, a gun, or a steel pipe.

Mr. Speaker, the amniotic sac is like a protective bubble, but it is not made of Kevlar. It pierces easily. Support the Unborn Victims of Violence Act.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today to express my opposition to this rule and to H.R. 1997, the Unborn Victims of Violence Act. This bill unnecessarily redefines a crime. Why? Not to deter or prevent violence. It does not do that. Not to ameliorate the effect of violence. It does not do that. Not to help the victims of violence. It does not do that. There clearly is an ulterior motive here, a different agenda that the supporters have.

There is no question that the loss or harm to a woman and her fetus is absolutely devastating, and those who injure or kill a pregnant woman or her fetus should be punished, and families should have appropriate redress for their loss, but this bill would not accomplish that. This bill seeks to create a unique Federal criminal offense for acts that cause injury or death to an unborn fetus. Tellingly, it does not create any comparable offense for killing or injuring the woman bearing the fetus. I think that makes it clear that the real purpose here is not to protect the victims of violence, not to prevent violence, but to give the fetus equal legal status to the mother and thus to undermine the legal foundation of *Roe v. Wade*.

I challenge the supporters of this bill to be logically consistent and support the substitute permitted under this rule, the Motherhood Protection Act, which would severely punish crimes against pregnant women without unnecessarily engaging in the abortion debate. I would also remind my colleagues that protecting pregnant women is just one part of combating all forms of violence that threaten women across this Nation. We must renew our commitment to this issue and focus our efforts on passing measures that are aimed at protecting all women from violence, and here I challenge the supporters again to fully fund programs such as the Violence Against Women Act that actually provide life-saving services to battered women.

I strongly urge my colleagues to reject H.R. 1997.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HART).

(Ms. HART asked and was given permission to revise and extend her remarks.)

Ms. HART. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in support of the rule and in support of the underlying bill and, along with some of my colleagues, with a little bit of mystification as to the reaction of those who oppose the rule and the underlying bill.

It appears as though we have some ignorance of facts going on here. Some of the Members and many of the Members remember the case of Laci Peterson. In fact, it is being adjudicated right now in the State of California. Laci Peterson's mother, Sharon Rocha, called me, the prime sponsor of the Unborn Victims of Violence Act, and Senator DEWINE, who is the sponsor of the legislation in the Senate, and requested that we name the bill in honor of her daughter Laci and her unborn grandson Conner. We did so without hesitation. It was very simple to understand and do so as a result of her request and also understand the grief that she and her family felt as a result of the murder of her daughter and her unborn grandson. She said, "Please understand how adoption of a single-victim proposal," one that will be offered in opposition to the underlying bill, "would be a painful blow" to the victims' family, a family like Ms. Rocha's, "who are left to grieve after a two-victim crime because Congress would be saying that Conner and other innocent victims like him are not really victims, that, indeed, they never really existed at all. But our grandson did live," she says. "He had a name, he was loved, and his life was violently taken from him before he ever saw the sun."

Unfortunately, the Peterson case is not the only case like this; more recently the family in Kentucky that just helped the Kentucky Legislature pass legislation similar to this in the Kentucky State Legislature.

We need to pass a bill that recognizes two victims. There are two victims. In fact, our bill specifically separates abortion from an act of violence against the mother. We are talking about a mother and a family who have chosen to bear a child. That family is preparing for that child's birth. That family has often named that child. That child is actively now a member of that family. But, unfortunately, facts in this world make some pretty ugly figures. We see that where statistics were kept about the cause of death to pregnant women in Maryland, Illinois, and New York, that fully more than one-quarter of the pregnant women who died died at the hands of a criminal. They were victims of homicide. Along with their death was the death of their unborn child. Why then should we not recognize two victims? There were two victims. There were two vic-

tims in the Peterson case and two victims in all of those statistics that New York, Maryland, and Illinois kept.

If our job here as legislators is not to recognize crime and prosecute crime, then I am not really sure what it is. I request my colleagues to support the rule for the two-victim Unborn Victims of Violence Act, the Laci and Conner law, and also to support the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for her leadership on this issue and so many others and for her yielding me this time.

I rise in strong opposition to the rule and the underlying bill and in support of the Lofgren amendment, which will be on the floor tomorrow.

Over the past 5 months, this body has dealt reproductive rights and women's health a one-two punch, first with the passage of the so-called partial birth abortion ban, which ignores the health and life of the woman, and now with this bill, which again ignores the health and life of the woman.

I have kept a scorecard of the antichoice action since the Republican majority took over in 1995, and if this rule and its underlying bill pass, it will mark the 202nd action against a woman's right to choose, which is exactly what this bill is intended to do.

According to this bill, anyone could be a murderer since no intent to harm the fetus is required. So in other words, if a pregnant woman is on an airline and crashes, is the airline now liable for two deaths? If a woman is working out in a gym with a trainer and miscarries, is the trainer a murderer? Pregnant women will become a liability for stores, gyms, and other businesses, and their freedom to perform daily tasks will be restricted.

This bill is not a domestic violence bill, and it does absolutely nothing to protect women who are victims of domestic violence. What this bill does is for the first time in Federal law, this bill, the underlying bill, will give a fertilized egg the same legal recognition and standing as a man or a woman. Under this bill a criminal could avoid stiffer penalties as long as he causes no harm to the fetus even though the pregnant woman might be brutally beaten and victimized.

It is insulting that the authors of this legislation would use violence against women as the vehicle to attack a woman's right to choose, which is what this bill is really about, whittling away, piece by piece, legislation by legislation, a woman's right to choose. This bill does absolutely nothing to address the violence against women, but the Lofgren amendment, which will be on the floor tomorrow, does, and the Lofgren substitute would severely punish crimes against pregnant women without tangling juries and prosecutors in the abortion issue. The Lofgren

amendment protects pregnant women without limiting their very basic rights and without redefining the Constitution to establish fetal personhood.

So I urge my colleagues to oppose this rule and the underlying bill and support the Lofgren amendment and substitute tomorrow.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank my colleague from Georgia, the distinguished member of the Committee on Rules, for yielding me this time.

Mr. Speaker, I come to the floor today to speak in support of the rule to consider H.R. 1997, the Unborn Victims of Violence Act, and to recognize fetal homicide as a crime, a crime under Federal criminal proceedings. And I want to thank the gentlewoman from Pennsylvania (Ms. HART) as well as the gentleman from Ohio (Mr. CHABOT) for introducing this legislation, which I believe represents the majority opinion of Americans across this country.

According to a Fox News poll conducted in August of 2003, 79 percent of the electorate believes that prosecutors should be able to charge an assailant with the death of an unborn child resulting from their act of violence. A similar Newsweek poll conducted in May of 2003 revealed that 56 percent of the people believe that if someone kills a fetus still in the womb, as well as the mother, that person should be charged with two murders instead of one.

Considering that 29 States, including my own State of Georgia, have already passed unborn victims of violence laws, it is past time to enact such a law at the Federal level. Let me assure the opposition to the legislation that H.R. 1997 does not supersede State laws, but it rather applies only to already defined Federal crimes. This debate is simply about prosecuting criminals. It is not an abortion bill, but rather a crime bill, and under this bill it is necessary to prove beyond that a defendant had intent to do criminal harm at least towards the mother. The legislation is about identifying victims, and I urge passage of the rule so that we can move on to debating and passing this vital piece of legislation.

My colleagues on the other side of the aisle complain that the Unborn Victims of Violence Act does not address the mother.

□ 1515

Well, we have laws to protect the mother in regard to violence and murder.

I want to remind Members on the other side of the aisle who are opposing this legislation also that in regard to the mother and protecting the mother, a strategically directed blow to a mother's abdomen resulting in minimal injury to the mother very well could result in the death of a 6½- or 7-pound unborn baby, just like Conner Peterson, and the mother's injury could be a minor contusion. So you are

going to say you solve that problem by instead of slapping one wrist, slap two? Give me a break.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, I want to reiterate something that the gentleman from Georgia (Mr. GINGREY) just said: It is really important to remember that there are laws to protect the woman, and it is important that we strengthen those laws and make sure those laws are solid. But we also need to be concerned about children and unborn children.

When we talk about child abuse in this country and we talk about children's protection, often many of the Members who are critical of this bill have been among the leaders in that effort, and I would like to see them join with us in this one. In fact, the poll that the gentleman from Georgia (Mr. GINGREY) referred to also showed that 69 percent of those who consider themselves prochoice support this amendment that causes the perpetrator of a violent action that causes the death of an unborn baby to be charged with murder.

In other words, this is not really an abortion debate, this is how do you feel about the legal protections for the unborn baby? And even prochoicers, 69 percent, say they favor this amendment.

I want to reiterate some of the points that the gentlewoman from Pennsylvania (Ms. HART), who has been the leader of this effort, has also said.

We followed the news accounts of the tragic double murder of Laci and Conner Peterson. Not one, but two lives were lost. Under California law, the killing of Laci and Conner is being prosecuted as a double murder with two victims. Unfortunately, in some parts of the country, as well as under Federal law, Laci and Conner's deaths would not be viewed as a crime against two victims, but rather just one. This is clear violation of justice, and the Peterson case has helped highlight this fact.

Today we have the opportunity to correct a shortcoming in Federal law that does not allow an unborn child to be identified as a second victim of murder if killed while on a military base or other location under Federal jurisdiction. The Unborn Victims of Violence Act, also known as Laci and Conner's Law, would correct that loophole and ensure that the perpetrator of the double murder be prosecuted and punished accordingly.

It is unbelievable to me that some Members of Congress would like Federal law to only recognize the death of one victim in such cases under Federal jurisdiction. That would not get the same protection as Laci and Conner

Peterson did. The Lofgren one-victim substitute amendment which will be allowed to be offered under the rule is offensive to those who have lost loved ones.

Mr. Speaker, everyone has followed the news accounts of the tragic double murder of Laci and Conner Peterson in California just before Christmas in December 2002. Not one, but two lives were lost as was plainly evident when the bodies of both Laci and Conner washed up on the shore many months later.

Under California law, the killing of Laci and Conner is being prosecuted as a double murder with two victims. Unfortunately, in some parts of the country, as well as under Federal law, Laci and Conner's deaths would not be viewed as a crime against two victims, but rather one. This is a clear violation of justice—and the Peterson case has helped highlight this fact. Consistently, in poll after poll, 80 percent of Americans say they believe there are two victims in the killing of a pregnant mother and her unborn baby.

Today, we have the opportunity to correct a shortcoming in Federal law that does not allow an unborn child to be identified as a second victim of murder if killed while on a military base or any other location of Federal jurisdiction. The Unborn Victims of Violence Act, also known as "Laci and Conner's Law," would correct that loophole and ensure that the perpetrator of the double murder be prosecuted and punished accordingly.

It is unbelievable to me that some Members of Congress would like Federal law to only recognize the death of one victim in cases such as the murder of Laci and Conner Peterson. The Lofgren one-victim substitute amendment, which will be allowed to be offered under the rule we are debating, is patently offensive to the relatives of double murder victims who simply want justice to be done in the prosecution of the individuals who killed their loved ones.

Sharon Rocha, the mother of Laci Peterson, has expressed her opposition to the Lofgren amendment. In a recent letter, she stated:

I hope that every legislator will clearly understand that adoption of such a single-victim amendment would be a painful blow to those, like me, who are left alive after a two-victim crime, because Congress would be saying that Conner and other innocent unborn victims like him are not really victims—indeed that they never really existed at all. But our grandson did live. He had a name, he was loved, and his life was violently taken from him before he ever saw the sun.

While the Peterson case might be the most widely known two-victim murder case at this time, many other families have also experienced the incredible pain of having lost a daughter or sister or spouse who was pregnant with an unborn child at the time of her murder. These families, too, are calling on Congress to bring about justice and enact the Unborn Victims of Violence Act.

The rule under consideration now is fair to both sides, allowing for both a substitute amendment and a motion to recommit. I urge my colleagues to vote in favor of the rule.

Tomorrow, as we come to vote on the base bill and the substitute amendment, I hope my colleagues will consider the plea of Sharon Rocha, Laci Peterson's mother, and reject the one-victim substitute. There were two victims in the murder of Laci and Conner Peterson,

and in their honor, I urge my colleagues to vote "yes" on the Unborn Victims of Violence Act.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the sad thing about this bill is that it is not violence against women, it is violence against pregnant women, and, while that is an abhorrent thing, it should be treated as violence against women. We all know and believe that.

What this bill does is reduce women to vessels, to wombs. It says that they are the ones that matter. If that were not the case, then this Congress would fund the Violence Against Women's Act.

Recently the majority leader of the House said in an interview that he thought all women should be in the home and that their husbands should give all the structure. Well, maybe we will get a bill on the floor pretty soon that says every woman in America of child-bearing age must be pregnant at all times and must not be allowed to leave the house. That, of course, then does say that older women who are past child-bearing age are fair victims for violence because we have not funded the Violence Against Women's Act. But if they are pregnant, then we will really look after them.

What a narrow-minded thing that is. I would like all the Members who think this is a great idea to go home and tell their mothers and daughters and their sisters and all the rest of their female relatives that only if they are pregnant do they matter to the Congress of the United States.

It is appalling that we have had over 200 votes whittling away at this since 1995. I honestly would not put anything past the Congress here, and I would expect if the majority leader comes up with his bill to force women to stay at home, it would be a good hearing and be right out here on this floor, even though people are without jobs, people are going hungry, health care is almost nonexistent in many places, and we are fighting a war that is causing us casualties on a daily basis. But what do we debate? This. This takes precedence over everything else.

So, I just say again to the women of the United States, look out, sisters. You just do not matter here anymore.

Mr. Speaker, I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will just take enough time to say I urge my colleagues to support this rule so we can get on with the real debate on both the underlying bill and the substitute to it.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to the clause 8 of rule XX, proceedings will resume on the questions previously postponed.

Votes will be taken in the following order:

H.R. 2751, by the yeas and nays; and House Concurrent Resolution 287, by the yeas and nays.

The second electronic vote will be conducted as a 5-minute vote.

## GAO HUMAN CAPITAL REFORM ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of the passage of the bill, H.R. 2751, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 382, nays 43, not voting 8, as follows:

[Roll No. 28]

YEAS—382

Abercrombie  
Ackerman  
Aderholt  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baker  
Baldwin  
Ballance  
Ballenger  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burns  
Burr  
Buyer  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)

Carson (OK)  
Carter  
Case  
Castle  
Chabot  
Chandler  
Chocola  
Clay  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Foley  
Ford

Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gephardt  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Herger  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Hooley (OR)  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (OH)

Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
LaHood  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Majette  
Maloney  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Murphy

Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Oberstar  
Obey  
Oliver  
Ortiz  
Osborne  
Otter  
Owens  
Oxley  
Pallone  
Pascarell  
Pastor  
Payne  
Pearce  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabó  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff

NAYS—43

Akin  
Barrett (SC)  
Bartlett (MD)  
Burgess  
Burton (IN)  
Cannon  
Coble  
Cubin  
Culberson  
Duncan  
Feeney  
Filner  
Flake  
Fossella  
Franks (AZ)

Garrett (NJ)  
Goode  
Gutknecht  
Hayworth  
Hefley  
Hensarling  
Hostettler  
Istook  
Jones (NC)  
King (IA)  
Manzullo  
Miller (FL)  
Moran (KS)  
Nussle  
Ose

Schrock  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Shaw  
Shays  
Sherman  
Sherwood  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stenholm  
Strickland  
Stupak  
Sullivan  
Tanner  
Tauscher  
Taubin  
Taylor (MS)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabó  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff

Paul  
Pence  
Petri  
Royce  
Sensenbrenner  
Shadegg  
Shimkus  
Smith (MI)  
Stearns  
Sweeney  
Tancred  
Taylor (NC)  
Toomey

NOT VOTING—8

Baird  
Clyburn  
Collins

Doggett  
Forbes  
Honda

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1545

Messrs. GUTKNECHT, TOOMEY, SHADEGG, MORAN of Kansas, HEFLEY, FOSSELLA, SHIMKUS, GARRETT of New Jersey, and Mrs. CUBIN changed their vote from "yea" to "nay."

Mr. SABO changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### HONORING THE LIFE OF THE LATE RAUL JULIA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 287.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 287 on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 29]

YEAS—422

Abercrombie	Burns	Deutsch
Ackerman	Burr	Diaz-Balart, L.
Aderholt	Burton (IN)	Diaz-Balart, M.
Akin	Buyer	Dingell
Alexander	Calvert	Dooley (CA)
Allen	Camp	Doolittle
Andrews	Cannon	Doyle
Baca	Cantor	Dreier
Bachus	Capito	Duncan
Baker	Capps	Dunn
Baldwin	Capuano	Edwards
Ballance	Cardin	Ehlers
Ballenger	Cardoza	Emanuel
Barrett (SC)	Carson (IN)	Emerson
Bartlett (MD)	Carson (OK)	Engel
Barton (TX)	Carter	English
Bass	Case	Eshoo
Beauprez	Castle	Etheridge
Becerra	Chabot	Evans
Bell	Chandler	Everett
Bereuter	Chocola	Farr
Berkley	Clay	Fattah
Berman	Coble	Feeney
Berry	Cole	Ferguson
Biggert	Conyers	Filner
Billrakis	Cooper	Flake
Bishop (GA)	Costello	Foley
Bishop (NY)	Cox	Ford
Bishop (UT)	Cramer	Fossella
Blackburn	Crane	Frank (MA)
Blumenauer	Crenshaw	Franks (AZ)
Blunt	Crowley	Frelinghuysen
Boehlert	Cubin	Frost
Boehner	Culberson	Gallely
Bonilla	Cummings	Garrett (NJ)
Bonner	Cunningham	Gephardt
Bono	Davis (AL)	Gerlach
Boozman	Davis (CA)	Gibbons
Boswell	Davis (FL)	Gilchrest
Boucher	Davis (IL)	Gillmor
Boyd	Davis (TN)	Gingrey
Bradley (NH)	Davis, Jo Ann	Gonzalez
Brady (PA)	Davis, Tom	Goode
Brady (TX)	Deal (GA)	Goodlatte
Brown (OH)	DeFazio	Gordon
Brown (SC)	DeGette	Goss
Brown, Corrine	Delahunt	Granger
Brown-Waite,	DeLauro	Graves
Ginny	DeLay	Green (TX)
Burgess	DeMint	Green (WI)

Greenwood	McCarthy (NY)	Ruppersberger
Grijalva	McCollum	Rush
Gutiérrez	McCotter	Ryan (OH)
Gutknecht	McCrery	Ryan (WI)
Hall	McDermott	Ryun (KS)
Harman	McGovern	Sabo
Harris	McHugh	Sánchez, Linda
Hart	McInnis	T.
Hastings (FL)	McIntyre	Sanchez, Loretta
Hastings (WA)	McKeon	Sanders
Hayes	McNulty	Sandlin
Hayworth	Meehan	Saxton
Hefley	Meek (FL)	Schakowsky
Hensarling	Meeks (NY)	Schiff
Herger	Menendez	Schrock
Hill	Mica	Scott (GA)
Hinchey	Michaud	Scott (VA)
Hinojosa	Millender-	Sensenbrenner
Hobson	McDonald	Serrano
Hoeffel	Miller (FL)	Sessions
Hoekstra	Miller (MI)	Shaw
Holden	Miller (NC)	Shays
Holt	Miller, Gary	Sherman
Hooley (OR)	Miller, George	Sherwood
Hostettler	Mollohan	Shimkus
Houghton	Moore	Shuster
Hoyer	Moran (KS)	Simmons
Hulshof	Moran (VA)	Simpson
Hunter	Murphy	Skelton
Hyde	Murtha	Slaughter
Inslee	Musgrave	Smith (MI)
Isakson	Myrick	Smith (NJ)
Israel	Nadler	Smith (TX)
Issa	Napolitano	Smith (WA)
Istook	Neal (MA)	Snyder
Jackson (IL)	Nethercutt	Solis
Jackson-Lee	Neugebauer	Souder
(TX)	Ney	Spratt
Jefferson	Northup	Stark
Jenkins	Norwood	Stearns
John	Nunes	Stenholm
Johnson (CT)	Nussle	Strickland
Johnson (IL)	Oberstar	Stupak
Johnson, E. B.	Obey	Sullivan
Johnson, Sam	Olver	Sweeney
Jones (OH)	Ortiz	Tancredo
Kanjorski	Osborne	Tanner
Kaptur	Ose	Tauscher
Keller	Otter	Tauzin
Kelly	Owens	Taylor (MS)
Kennedy (MN)	Oxley	Taylor (NC)
Kennedy (RI)	Pallone	Terry
Kildee	Pascrell	Thomas
Kilpatrick	Pastor	Thompson (CA)
Kind	Paul	Thompson (MS)
King (IA)	Payne	Thornberry
King (NY)	Pearce	Tiahrt
Kingston	Pelosi	Tiberi
Kirk	Pence	Tierney
Klecicka	Peterson (MN)	Toomey
Kline	Peterson (PA)	Towns
Knollenberg	Petri	Turner (OH)
Kolbe	Pickering	Turner (TX)
LaHood	Pitts	Udall (CO)
Lampson	Platts	Udall (NM)
Langevin	Pombo	Upton
Larsen (WA)	Pomeroy	Van Hollen
Larson (CT)	Porter	Velázquez
Latham	Portman	Visclosky
LaTourette	Price (NC)	Vitter
Leach	Pryce (OH)	Walden (OR)
Lee	Putnam	Walsh
Levin	Quinn	Wamp
Lewis (CA)	Radanovich	Waters
Lewis (GA)	Rahall	Watson
Lewis (KY)	Ramstad	Watt
Linder	Rangel	Waxman
Lipinski	Regula	Weiner
LoBiondo	Rehberg	Weldon (FL)
Lofgren	Renzi	Weldon (PA)
Lowey	Reyes	Weller
Lucas (KY)	Reynolds	Wexler
Lucas (OK)	Rodriguez	Whitfield
Lynch	Rogers (AL)	Wicker
Majette	Rogers (KY)	Wilson (NM)
Maloney	Rogers (MI)	Wilson (SC)
Manzullo	Rohrabacher	Wolf
Markey	Ros-Lehtinen	Woolsey
Marshall	Ross	Wu
Matheson	Rothman	Wynn
Matsui	Roybal-Allard	Young (AK)
McCarthy (MO)	Royce	Young (FL)

NOT VOTING—11

Baird	Doggett	Kucinich
Clyburn	Forbes	Lantos
Collins	Honda	Shadegg
Dicks	Jones (NC)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1554

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### CODIFYING "BIBLICAL PRINCIPLES" OF MARRIAGE

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, the President's presidential prayer team is urging us to "pray for the President as he seeks wisdom on how to legally codify the definition of marriage. Pray that it will be according to Biblical principles."

With that in mind, I thought I would remind the body of the biblical principles they are talking about.

Marriage shall consist of a union between one man and one or more women. That is from Genesis 29:17-28.

Secondly, marriage shall not impede a man's right to take concubines in addition to his wife or wives. That is II Samuel 5:13 and II Chronicles 11:21.

A marriage shall be considered valid only if the wife is a virgin. If the wife is not a virgin, she shall be executed. That is Deuteronomy 22:13.

Marriage of a believer and a non-believer shall be forbidden. That is Genesis 24:3.

Finally, it says that since there is no law that can change things, divorce is not possible, and finally, if a married man dies, his brother has to marry his sister-in-law.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize Members for Special Order speeches without prejudice to the resumption of legislative business.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO. addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)



The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

(Mr. HENSARLING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. MCGOVERN. Mr. Speaker, I ask to speak out of order for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### FIGHTING CHILD HUNGER IN BOGOTA, COLOMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, over the recess I traveled to Colombia for a third time as part of a fact-finding delegation sponsored by the Washington Office on Latin America.

The highlight of my trip was a visit to a school feeding program in a place called Ciudad Bolivar, which is a very poor area of Bogota. Mr. Speaker, this school feeding program is a partnership between USAID, the U.N. World Food Programme and the Bogota Department of Social Welfare.

Joining me at the school were USAID Mission Director Mike Deal; Mr. Peter Goossens, WFP Program Coordinator for Colombia; Maria Lucia Osorio, WFP staff person who works directly with the school; Andrew Krefft, the USAID senior program specialist on Colombia's internally displaced; and representatives from Bogota's Department of Social Welfare.

□ 1600

I want to express my personal appreciation for all their efforts in making school feeding programs in Colombia so successful.

Mr. Speaker, the school I visited is called Colegio Luis Carlos Galan. Approximately 1,200 children receive meals and food rations at Colegio Galan. Eighty percent of these children are from displaced families. The children receive a fortified breakfast mixture and mid-morning fortified snacks. The meals are prepared by community cooks in school kitchens, where mothers are educated in food preparation, nutrition, child care, and health care. The school meal is supplemented with rice, vegetables, beans, eggs, and juice, purchased and prepared by the children's families from family contributions of about 10 cents per day.

This one school feeding program costs only \$2,000 for the entire 2004 school year. Think of it, Mr. Speaker, just \$2,000 provides 1,200 impoverished children with nutritious meals and snacks for an entire school year. These are some of these children. It also strengthens families' commitments to

their children's education, attracts and keeps these children in school, and demonstrates, as few other programs can, that the United States genuinely cares about the future of Colombia's children.

Mr. Speaker, 80 percent of displaced Colombians live in extreme poverty and have inadequate nutrition. Only 36 percent of displaced children will ever finish primary school, and a mere 8 percent will complete high school. Currently, USAID funds a 3-year \$5.1 million program to alleviate hunger, improve the health and well-being of Colombia's displaced families, and increase school attendance through school feeding programs.

The USAID program, which began in September 2003, assists over 113,000 displaced schoolchildren in 414 schools in 12 Colombian departments. The program is implemented by WFP; and prior to this, the school feeding program was financed through USDA's McGovern-Dole International Food for Education pilot program. Mr. Speaker, regrettably, the Bush administration made Draconian cuts in this program that resulted in eliminating the Colombian funding. Fortunately for Colombia's children, USAID came to the rescue and picked up the costs, incorporating it into programs supporting Colombia's internally displaced.

At the school I visited, 80 percent of the children are from displaced families. They come from all over Colombia, ranging in age from 6 years to 16, and reflect Colombia's racial and ethnic diversity. One mother, displaced from Caqueta, told me that her family's life was filled with violence: "It is terrible to have to flee with nothing but the clothes on your back, running for hours and days, arriving at Bogota, not knowing anyone." She gave her sincerest thanks for the United States' support of the school.

A teacher stated, "Today, these children are fed, but tomorrow, who knows?" This teacher felt that many of these children were in school for the first time in their lives, learning things that will help them throughout their lives, like how to read and write.

Mr. Speaker, if you could only see these children. They are bright, they are beautiful, they are the future of Colombia; and I admire and honor the dedicated teachers and school administrators and parents and students at this school; and I respect the commitment of USAID and the World Food Program staff, who are giving these families hope for a better future.

Last Friday, the newly elected mayor of Bogota, Mr. Lucho Garzon, launched a new initiative called Bogota Without Hunger. Through this campaign, Ciudad Bolivar is one of six priority zones designated to receive additional resources for nutrition, education, health services, and housing.

I encourage my colleagues to visit U.S.-supported school feeding programs when they travel abroad. I most strongly urge the leadership of this

Congress to significantly increase funding for both the USDA McGovern-Dole program and USAID food aid programs. No matter how tight current budget restrictions might be, these programs are truly among the very best investments we can make in the future stability of Colombia and the world.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### TRIBUTE TO JOHN A. FERGUSON, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. DEAL) is recognized for 5 minutes.

Mr. DEAL of Georgia. Mr. Speaker, it is with great pride and a distinguished privilege for me today to address the colleagues of the House to honor a man who has accomplished more for northeast Georgia over the past 40 years than most people will do in an entire lifetime. Health care is more accessible and a higher quality exists and surpasses that of many metropolitan areas. Our economy has expanded exponentially for decades. Thousands of jobs have been created, and hundreds of thousands of lives have been improved because of the efforts of this one man. I would like my colleagues to join me in honoring my friend and a community service leader, Mr. John A. Ferguson, Jr., as he retires as president and CEO of Northeast Georgia Medical Center and Health System in Gainesville, Georgia.

In 1964, at the age of 23, John came to the Northeast Georgia Medical Center as the first hospital engineer in the State of Georgia. And although he currently held a master's degree in engineering from Georgia Tech, he was determined to continue his education and work to obtain an additional master's degree in health care administration from Georgia State University. At that time, Northeast Georgia Medical Center was known as Hall County Hospital and was a single-entity acute care hospital with only 147 beds and 430 employees.

Within 1 year of being on the staff, John was named assistant administrator, and at the age of 28 he became the youngest hospital administrator and CEO in the State in 1968. Within 10 years of his promotion to CEO, the hospital's acute care bed size had almost doubled, a dedicated 10-bed ICU and 10-bed CCU had been added, as well as a 20-bed mental health unit. From there, northeast Georgia's health care system and quality of life continued under John's leadership. It continued to grow and to improve on an annual basis.

In 1986, he lead NGMC through corporate reorganization, which enabled

the organization to expand health care services across county lines and improve access to health care for citizens throughout northeast Georgia who previously had to drive to Gainesville for most of their primary health care services.

Today, Northeast Georgia Health System is a major provider of health care services for 20 counties in northeast Georgia. It has over 3,500 employees and one of the largest and most active volunteer programs in the State. The system now includes a free-standing mental health, alcohol, and drug abuse treatment facility, two long-term care facilities, a satellite cancer center in Stephens County, a hospice service and two hospital campuses with a total of 418 acute inpatient beds. Other major services that have been added under John's leadership include the Ronnie Green Heart Center and Stribling Heart Clinic for advanced heart care, the only comprehensive cancer care service in the region; a strong network over 14 primary care centers located in eight counties; a neonatal intensive care service; and a comprehensive physical rehabilitation institute.

Fortunately for northeast Georgia, John has always understood that to truly impact the health of the community, services cannot be contained within the walls of the hospital. His vision for a healthier community coupled with a heart for people who depend on NGMC for health care services paved the way for a strong relationship with the Hall County Health Department. In the late 1970s, working with the health department, NGMC implemented a midwifery program to extend prenatal care to indigent patients who did not have resources to access private providers of services.

John's vision for a healthier community has resulted in numerous other innovative outreach initiatives. In the early 1990s, NGMC lead a collaborative community effort with local schools, the health department, the Junior League, and other service organizations to generate funds for a mobile health unit to provide basic health care screenings and services to people who had limited resources to access other traditional health care services. NGMC has continued to fund and help staff this service since its inception.

Through the Medical Center Foundation, health initiatives operated by other community service organizations have been supported. More than \$300,000 was raised to help fund construction of a free medical and dental clinic for persons who have no resources for care. Since completion of the clinic, the medical center has continued to help fund clinical supplies through the indigent care trust fund for volunteer physicians, dentists, and nurses who staff the clinic. Funds have also been raised for numerous other health-related community benefits, such as the Meals on Wheels program for provision of meals to homebound

seniors, the SafeKids Playground at Fair Street Elementary School in Gainesville, automatic external defibrillators for emergency response vehicles in Hall County, and the Challenged Child Organization.

Northeast Georgia Health System is the lead agency for SafeKids since 1997 and currently works with 21 community agencies to develop and fund initiatives to decrease the rate of accidental injuries to children. The SafeKids Coalition has received numerous State and national awards and was recently recognized as National Coalition of the Year.

John's vision for high-quality health care services and his heart for the people who depend on Northeast Georgia Health System have unquestionably made an impact on the community and the health and quality of life in Hall and surrounding counties. I commend Mr. John A. Ferguson as a man who has served our community well and commend him to his retirement.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 108-428) on the resolution (H. Res. 536) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### THE PRESIDENT'S BALLOONING CREDIBILITY DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, in addressing the Republican Governors Association fund-raiser on Monday evening, the President, in a much-touted speech, decided to question the Democratic front runner's credibility. This speech, it was touted, was to launch the President's reelection campaign; but it began with the theme of questioning the front runner of the Democratic Party's credibility.

Let me just start off by saying it is a good thing that the White House is not made of glass. I think it is very interesting that the President decided that the credibility of our front runner was in question, when after only 3 years of governing, this is a President who has America stuck in a jobless economy and an endless occupation.

Now, the President could have spoken about his foreign policy record, but all that offers is a growing and expensive prospect of endless occupation. He could have spoken of his leadership on

the economy, but all he could point to is an economy that is not producing jobs. So the President decided that it was his right in a speech the other night to the Governors to lead off with a discussion of credibility.

I think the credibility gap of the administration at this point is a good thing, given that his budget will widen the deficit gap. The deficit he has created will not be as lonely now that he has a credibility deficit that continues to grow.

The President wants to question the consistency of our potential nominee's record, yet within 18 months he flip-flopped on steel tariffs. This is a President who wants to question credibility, yet in a book recently published by Paul O'Neill, his former Treasury Secretary, he questioned the legitimacy of a second tax cut he was going to propose because, he said, "Haven't we done enough for the top end?" Yet he went out there and accused Democrats of class warfare for asking the very same question he had asked, Had the first tax cut not done enough to take care of the top 1 percent?

After 3 years, his economic record is \$3 trillion added to the Nation's debt and 3 million Americans have lost their jobs, and yet he wants to run this election on credibility.

He went to Ohio to talk about the importance of manufacturing jobs to the economy, given that 2 million manufacturing jobs have been lost in America since 2000. His budget, 3 years in a row, has cut the manufacturing extension program, which helps small manufacturing businesses compete in the world market. And he wants to talk about credibility?

His economic report of last week praised outsourcing of jobs to India. This is a President who wants to talk about credibility? It was his economic report that cited 2.7 million new jobs would be created this year in the United States. In less than a week, before the ink was even dry, he needed to retract that, because the economy will not produce 2.7 million jobs. And this is an administration who wants to make credibility an issue?

On the issue of foreign policy, regardless of what your position is on the war, we went to war on the notion of dealing with weapons of mass destruction, and now we have a report questioning whether weapons of mass destruction were ever in Iraq, which was the legitimacy and the principle of going to war. Yet this is an administration that would like to make credibility of our nominee the issue in this campaign.

The President pledged in his recent budget \$3.5 million in new money for police and firefighters to help communities here in the United States, but his budget cuts \$1 billion for police and firefighters. But he would like to make credibility an issue.

His plan to halve the deficit by 2009 is an "accounting fiction" to Goldman Sachs. But he would like credibility to be the issue.

He said the Medicare bill would cost \$400 billion. Within 3 weeks after the ink was dry, the report came out that it would cost \$550 billion to taxpayers; \$150 billion in errors in addition to the \$400 billion for the prescription drug bill. And he would like to make credibility an issue?

He promised to clean up the Great Lakes, but he cut water quality funds by \$400 million. Yet he would like to make credibility an issue in this campaign?

□ 1615

On policy after policy, this administration says one thing and does another to benefit its corporate and special interests. If we are going to make credibility an issue in this campaign, to quote one Senator, bring it on.

#### BUSH ECONOMIC POLICY NEEDS TO BE CHANGED

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, all of us now are familiar with the economic report of the President of the United States. It is the report put out by the chief economic adviser for the President. It is signed by George Bush on page 4, signed by the chairman of the President's top economists in the country, the Chairman of the Council of Economic Advisors, Greg Mankiw. We have heard lots of media coverage that in this report the Chairman of the Council of Economic Advisors says outsourcing is a good thing; that an economic concept that they learned in graduate school called comparative advantage means if you can make something cheaper overseas, you ought to close down the American plant and make it overseas. They said outsourcing is a good thing, while a State like mine in Ohio has lost one out of six manufacturing jobs.

They go on to predict we will create in this country under the Bush economic plan 2.6 million jobs this year. They also promised 3 million jobs a couple of years ago. We have actually lost manufacturing jobs in this country because of the Bush economic plan.

The response to every economic problem is more trickle-down economics, cut taxes on the wealthiest Americans hoping it trickles down and creates jobs. That has not worked. Their other answer is more trade agreements, expanding NAFTA to Central America, the so-called Central American Free Trade Agreement, expand NAFTA to the rest of Latin America called the Free Trade Area of the Americas. None of that is working.

We are seeing loss of jobs. In the district of the gentlewoman from Indiana (Ms. CARSON) or the district of the gentleman from Washington (Mr. McDERMOTT), we are seeing continued shipping of jobs overseas, continued

outsourcing, as the President applauds in his Council's report, continuing hemorrhaging of jobs all over the world.

But something that was also in this report which is even more amazing, the President has not been able to figure out how to stem the tide of economic job loss. We created in the Clinton years 25 million jobs. We have lost in the Bush years 3 million jobs, a huge portion of them manufacturing jobs. No President since Herbert Hoover has actually lost jobs during his administration, a record that George Bush is now competing with.

The President, because he cannot seem to figure out how to create manufacturing jobs, the President in his report is saying regarding manufacturing jobs, maybe we ought to consider changing the definition of manufacturing jobs. They said the definition, and this is in the President's report signed by the President on page 4, the definition of a manufactured product is not straightforward. When a fast-food restaurant sells a hamburger, for example, is it providing a service job, which is what we always thought, or, according to the President, is it combining inputs to manufacture a product? So these fast-food workers at \$6 and \$7 an hour, maybe we are going to call them manufacturing jobs. I am not making this up; this is in the President's report. They said manufacturing if someone is engaged in the mechanical, physical or chemical transformation of materials, substances or components into new products.

So we have the \$6-an-hour high school student in McDonald's standing there. First he unwraps the bread, which is like something you would do in a factory building cars. He unwraps the bread, puts the bun down, and takes the hamburger. He has to change chemically the hamburger. We would call that cooking it, but under the new-speak of the President's report, he is going to chemically change the hamburger so instead of being raw, it is now chemically altered or cooked. Then there is the cheese. If it is a cheeseburger, it is an even more complicated manufacturing process. The worker needs to chemically change the cheese. We would call it melting, but in the new-speak, we call it chemical change of the cheese. That cheese is then put on the burger. Next he has to unwrap the lettuce head and put lettuce on the hamburger. Next he slices the tomato. All of these manufacturing components are going into this new hamburger.

Mr. Speaker, my point is the President's answer to what are we doing about loss of manufacturing jobs in this country is to reclassify manufacturing and say that these service jobs that pay \$7 an hour, instead of the \$20 an hour that workers in my district make, or workers at Goodyear in Akron building tires were making, instead of \$20 an hour with pensions, with good health care benefits, we are now

going to say we lost those manufacturing jobs, but we have other manufacturing jobs at McDonald's. And I do not mean to leave out Burger King, Arby's or some of the other fast-food restaurants that are actually manufacturing their hamburgers.

Mr. Speaker, I think we see the ludicrousness of this. This country has to change its economic policy and change its direction. We need to say no to this trickle-down economics which give the tax breaks to the wealthiest people in the hope that they will create some jobs. That is not working. We have to say no to trade agreements that are shipping jobs overseas.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### PRESCRIPTION DRUG ABUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, I cannot believe the gentleman from Ohio (Mr. BROWN) missed Wendy's, an Ohio-based company, in his speech.

Mr. Speaker, I rise today to address one of our Nation's oldest and most difficult narcotics problems, prescription drug abuse. Prescription drug abuse has been a problem for decades, but recently a new generation of morphinelike painkillers called oxycodones has caused a wave of addiction and overdoses. The drug OxyContin, which is an oxycodone-based drug, has produced the greatest amount of publicity, but numerous similar drugs, such as Percocet, Percodan and Tylox, have also been abused.

Last month the Committee on Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, which I chair, held a hearing on prescription drug abuse in Winter Park, Florida. The gentleman from Florida (Mr. MICA), the former chair of the subcommittee and a man with a long record of effective leadership on these issues, requested the hearing in response to a series of OxyContin-related deaths in central Florida.

At the hearing the gentleman from Florida (Mr. MICA) and I, joined by the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Florida

(Mr. KELLER) heard testimony from government, medical and other witnesses about the cost of prescription drug abuse, the benefits afforded by these drugs, and how best to balance these two. But more must be done to ensure in striking this balance that we enforce the law, that we educate people about how to avoid such addiction, and more treatment specifically targeted towards such addiction.

Prescription drug abuse presents special problems for the government, the medical community, and the pharmaceutical industry. On the one hand these powerful and dangerous drugs, with as great a capacity for addiction and abuse as heroin and cocaine, even though they have that potential, there are many ways for these drugs which have legitimate uses to fall in the wrong hands. Supplies of the drugs can be stolen from pharmacies and manufacturers and then sold back in the black market; doctors may intentionally or unintentionally over prescribe the drugs to patients, leading to addiction and abuse; or patients themselves may obtain illegal quantities of the drugs by shopping for multiple prescriptions and filling them at multiple pharmacies.

On the other hand, these drugs have legitimate medical uses and may give the only possibility of relief for patients suffering from severe chronic pain. Many cancer patients rely on OxyContin and similar drugs.

But however difficult it may be to strike a balance, we must find a way to further enforce the laws so we do not have this exploding abuse of these drugs that are crippling many families and individuals and leading to the death of many others.

Prescription drug abuse is a very serious problem. According to the most recent study conducted by the Substance Abuse and Mental Health Services Administration, SAMHSA, in 2002, over 1.9 million Americans aged 12 or older had used OxyContin alone for nonmedical, in other words illegal, purposes. Prescription drug abuse is far more widespread than cocaine, heroin or ecstasy abuse. Only marijuana is more widely abused by Americans. The problem is particularly acute among our young people. For example, among 12- and 13-year-olds, more children abuse prescription drugs than even marijuana.

One of the first things that became clear to me during the hearing is that the Federal Government needs to obtain and share better information on how these drugs are falling into the wrong hands. One newspaper reported that the top 12 OxyContin prescribers under Medicaid in Florida wrote prescriptions totaling over \$15 million. While that is a very large number, it does not include all of the non-Medicaid prescriptions. The government has no practical way of keeping track of who is prescribing these drugs, in what amounts, and to whom.

A number of States and many of my colleagues have proposals for setting

up a computerized database to keep track of these drugs. While some may raise privacy concerns about such a database, if we do not get this information to law enforcement, we will never get a handle on the problem.

Second, there are simply too many ways for these drugs to fall into the wrong hands. As the gentleman from Georgia (Mr. NORWOOD) noted at the hearing, it is possible for children to go on the Internet and order OxyContin or other opiates without going to a physician. Even when children do not do that, they can often get the drugs by raiding their parents' medicine cabinets or getting them from their friends. We need more effective regulations and education to cut down on these very real and dangerous routes of drug diversion.

I am encouraged by the recent decision of the DEA to explore putting hydrocodone combination drugs, which are based on another drug similar to oxycodone, on Schedule II to reflect their real potential for abuse. I hope the DEA, FDA and other agencies will continue to reexamine their strategies to find more effective ways to combat this problem.

Finally, while it is clear that there are widely diverging opinions about what kinds of conditions these drugs are prescribed for, it is equally clear that the more uses the government approves, the more abuse we will have. There is a great deal of debate about whether OxyContin should be prescribed for moderate as opposed to severe pain. We will see this debate in connection with nearly every powerful drug because there will always be those who wish to push the envelope and approve the drug for more and more people, thus creating more and more potential for addiction and abuse.

Those of my colleagues who consider themselves sympathetic to so-called "medical marijuana" should take heed of this. While many of its proponents claim that marijuana would only be used medicinally, it is also used by many others for less serious conditions.

#### HONORING JOE LAMANTIA, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. HINOJOSA) is recognized for 5 minutes.

Mr. HINOJOSA. Mr. Speaker, I rise today to congratulate my good friend and constituent Joe LaMantia, Jr., for being named the 2004 Border Texan of the Year. This is an honor given only to those whose record of service in south Texas is a model for all Americans. The award is given in conjunction with Hidalgo County's annual Border Fest, a heritage and cultural festival that celebrates the uniqueness and diversity of south Texas.

I can think of no one more deserving of this award than Joe LaMantia, Jr. Joe is a first-generation American with deep roots in South Texas. Following

in his father's footsteps, Joe began his successful agricultural career in south Texas in Carrizo Springs. His agriculture operation consisted of pecan orchards, vegetables, and a cow-calf operation, plus a vegetable and fruit farm operation in Mexico and Chile. In 1965, he moved his family to the Rio Grande Valley to continue their agricultural business.

Due to the unpredictability of agriculture, the LaMantias made a transition into the beer distribution business as wholesalers of Anheuser-Busch products. That was the beginning of the LaMantia family-owned and operated business of L&F Distributors. The company began in 1977 in McAllen, Texas, with 11 employees. I witnessed a fast learning curve by the LaMantias. Today, L&F Distributors has grown to employ over 600 individuals in 22 counties in the great State of Texas.

Despite the demands of a growing and successful business, Joe has dedicated himself to improving the quality of life in his community. In 1974, Joe was appointed by Governor Dolph Brisco to the board of the Texas Department of Corrections. He was reappointed in 1983 by Governor Mark White, and served as the vice chair for over 10 years.

During his tenure, Joe saw firsthand the problems facing the Texas border region, specifically poverty, crime and high unemployment. He recognized that education was the key to improving these challenges faced by the community. A champion of educational opportunity, Joe established one of the first scholarships for women athletes at the University of Texas Pan American, the Ann LaMantia Anheuser-Busch Outstanding Woman Athlete Scholarship.

□ 1630

The scholarship was named in honor of his wife of 30 years, Ann LaMantia, who passed away in 1983. Ann LaMantia served on the board of regents at Pan American University and, like her husband, was committed to higher education for the students of south Texas.

Since her passing, the LaMantias have continued to be dedicated to providing college scholarship opportunities for local students. Under Joe's leadership, L&F Distributors formed a partnership with the Hispanic Scholarship Fund in 1994 and in 8 years has raised over \$5 million and awarded over 2,600 scholarships to students in south Texas. In 2002, L&F Distributors was recognized by the national organization as the largest contributing Anheuser-Busch distributor to the HSF.

That same year, the LaMantias created a local educational nonprofit organization, the South Texas Academic Rising Scholars (STARS) Foundation, which provides scholarship awards to students in south Texas to attend the college of their choice. Joe serves as the founder and chairman of the board of directors, and in less than 17 months STARS has managed to raise over \$2

million for south Texas students and has become the premier scholarship foundation in south Texas.

Mr. Speaker, this successful scholarship program has doubled the number of students who can have access to higher education. Joe, Jr. and his wife, Derrelene, have seven children and 26 grandchildren and consider their close-knit family their greatest asset. Joe is one of the hardest working entrepreneurs in south Texas. He is honest and a man of integrity, and I am proud to call him my friend. He truly deserves to be the Border Texan of the Year.

I urge my colleagues to join me in commending Joe LaMantia, Jr. for his tireless efforts on behalf of children and in congratulating him on receiving this prestigious award.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

(Mr. KING of Iowa addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. KIRK. Mr. Speaker, I ask unanimous consent to speak in the gentleman from Iowa's (Mr. KING) stead.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### ENDING MERCURY POLLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, the Congress and the President are preparing for a major debate on reducing air pollution. In this debate, partisans for and against greater environmental protection are both right. And they are both wrong.

The environmental community is correct in highlighting the growing danger of mercury pollution. Once considered an "average" pollutant, the EPA's Children Health Protection Advisory Committee warned last month that mercury is a powerful neurotoxin that accumulates in humans. Just one-twenty-fifth of a teaspoon of mercury can contaminate a 25-acre lake. Blood tested from Illinois pregnant women showed that they averaged 14 times the naturally occurring level of mercury in their blood.

Coal-burning power plants that have not yet been required to reduce their mercury emissions are the major source of this pollution. The Federal Government already requires all municipal incinerators and other sources of air pollution to scrub their emissions to remove most mercury. Raw po-

litical power and threatened litigation have delayed such requirements for coal-fired plants.

Enough of the delays. We need to clean up mercury pollution today. In eastern States, downwind from the rest of the Nation, mercury levels in the water are rising. The National Wildlife Federation recently released a study showing that the rainwater falling on suburban Chicago communities contained three times the naturally occurring level of mercury. With higher levels of mercury poisoning than other regions of the country, New England and the Great Lakes are becoming mercury "hot spots." This poses a threat to the Great Lakes, a critical ecosystem that is the source of drinking water for over 20 million Americans.

The scientific debate about the danger of mercury poisoning is now over. The real question is, how quickly can we reduce such pollution? When the Clean Air Act was written, there was little thought to how best to control pollution. The act imposed a rigid set of 1970s controls on each source of pollution, with many opportunities for polluters to challenge any action by the government in court. The worst example of what followed is the Federal Superfund cleanup program. Today, over half of all Superfund environmental cleanup dollars have been spent paying lawyers and not protecting the environment.

There is a better method. In the 1980s, the program to reduce acid rain was based not on endless court litigation, but on a system of tradeable credits that restrict the total output of pollution in a way that is more flexible than the litigious old regulatory system. The acid rain pollution credit trading system is a great success, leading to more environmental cleanup and less courtroom cost. This system cuts acid rain pollution in a way that is faster and cheaper than the old regulatory approach. President Bush proposes using such a system based on acid rain to also reduce mercury pollution. His approach could be effective but needs two major amendments by environmentalists here in the Congress.

First, the President's proposal allows more mercury pollution under a trading system than the old regulatory approach. Trading credits can be allowed but Congress must reduce the supply of tradeable credits to dramatically cut mercury pollution to levels at or below which would have been allowed under the old system.

Second, a flexible system also carries a danger for areas already contaminated with mercury. If credits to emit mercury can be purchased in an already polluted area, a trading system could worsen mercury hot spots that already exist. Congress should clearly define mercury hot spots, and we should allow emissions credits to be sent outside such a zone but not to be purchased to contaminate inside.

These two changes, restricting the supply of mercury emissions credits

and higher environmental protection for mercury hot spot zones, could make a program modeled after the acid rain program work to reduce mercury pollution in our country. This is the kind of bipartisan approach that takes the best aspects of both sides to focus taxpayer dollars on cutting pollution rather than killing time in court.

Whatever the outcome of this debate, one thing should be agreed by bipartisan majorities in the Congress: the days of unregulated pollution from coal-burning power plants should be over. Period. The science is now clear and convincing that mercury pollution from such emissions represents a clear and present danger to the mothers and children of North America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. TERRY) is recognized for 5 minutes.

(Mr. TERRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 5 minutes.

(Mr. MURPHY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

(Mr. MARIO DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to speak in place of

the gentleman from California (Mr. GEORGE MILLER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

**REGARDING JUSTICE SCALIA'S REFUSAL TO RECUSE HIMSELF FROM HEARING CASE CONCERNING THE VICE PRESIDENT**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, Supreme Court Justice Antonin Scalia has done something no Democrat and no Republican has been able to do. Justice Scalia has united the country from Maine to California, from Washington to Texas. Even Texas. Here is just a sample of what editorials across America have been saying about Justice Scalia's decision to hear a case involving the Vice President:

Inappropriate. Unethical. Less arrogance, more impartiality. The appearance of impropriety is abusive and extreme. It taints the very essence of justice. Scalia's refusal to recuse himself let the sour tinge of politics ooze into the High Court's chambers. He's ducking the law.

In America, Mr. Speaker, Lady Justice is blind for a reason. Equal justice for all is a fundamental right of this country. Justice Scalia will soon run afoul of this because he decided to hunt fowl with the Vice President.

The facts, sketchy as they are, are these:

In early January, the Justice joined the Vice President aboard Air Force Two. They flew to Louisiana to spend days together in private while duck hunting on a private reserve owned by a local oilman. Nothing new there. The area they hunted in was declared a no-fly zone by the Secret Service and the ducks apparently abided by the Secret Service order. The trip followed a Supreme Court decision to hear an important case involving the Vice President. The case involves the right of the public to pierce the veil of private meetings the Vice President held with Big Oil and Big Business in public buildings to chart a public energy policy which has led us into two invasions, two occupations. There are huge issues at stake and the Nation must know that the Supreme Court will hear the case impartially.

If Justice Scalia does not remove himself from the case, the entire process will be forever tainted. Here is what the law says:

"Any justice, judge or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

How could any rational person not question Justice Scalia's impartiality if he hears this case? His public re-

sponse to date has been a mockery of the serious concerns expressed across the country. "Quack-quack" is how the Justice ended one answer in public at Amherst College. I kid you not. "Quack-quack," from a Justice of the Supreme Court. Perhaps in the future the fierce competition by law graduates to clerk in the highest court will include an audition for bird and duck calls. The Supreme Court decides the fate of lives and the course of our Nation for generations to come. Justice Scalia cannot let thoughtful, respectful concerns expressed by smart, independent voices across the country roll off his back like water off a duck.

This issue concerns not just Justice Scalia; but it goes to the honesty, integrity, ethics, and impartiality of the highest court. The stakes are too high and the right course of action too obvious for him to ignore.

Chief Justice Charles Evans Hughes as he was laying the cornerstone of the Supreme Court Building said: "The Republic endures and this is the symbol of its faith."

Justice Scalia defends America best by defending equal justice under the law. Justice Scalia must remove himself from this case for the good of the Court and for the good of the country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

**COMMENDING AN AMERICAN WAR HERO FROM INDIANAPOLIS, INDIANA**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, it is with great pride that I rise today to recognize an extraordinary young man who is an American war hero of Iraq and a fellow Hoosier, Specialist Dwayne Anthony Turner of the Third Battalion, 502nd Infantry Regiment, 101st Airborne Division. Specialist Dwayne Anthony Turner, an Army medic from Indianapolis, was awarded the Silver Star for demonstrating exceptional bravery, self-sacrifice and resolute fearlessness during a grenade and arms attack on April 13, 2003.

American soldiers were caught off guard when the attack began on a crowded street 30 miles south of Baghdad. Specialist Dwayne Anthony Turner was riding in his Humvee when the grenade hit. Bleeding from flying shrapnel that ripped into his legs, Specialist Turner dragged several soldiers to safety and administered aid to others while taking fire. More commonly known as Doc Turner, this young 23-

year-old soldier saved the lives of two comrades and provided aid to 14 others after he was hit by shrapnel and shot a total of three times in the leg and arm. He did not cease assisting injured soldiers until he lost a significant amount of blood and was administered morphine. Specialist Dwayne Anthony Turner is the first soldier from the Fort Campbell-based 101st to receive the Silver Star for valor.

I would like to recognize Specialist Turner for his remarkable fortitude, courageousness, his spirit and selfless determination and would certainly ask the House of Representatives to join me in honoring this notable American war hero from my district.

Specialist Turner agreed to 4 years but was arbitrarily extended, Mr. Speaker, to 5 years.

Mr. Speaker, we would think that the United States of America, that the White House, that the Department of the Army would give Specialist Turner a standing ovation for the outstanding contribution that he made as an American, as a soldier and as a hero in Iraq. But not so. Mr. Speaker, upon Specialist Turner's return to Fort Campbell, understandably he consumed alcohol excessively, incurred intense and immense emotional trauma. His behavior became erratic. Instead of addressing what obviously is post-traumatic stress, the Army busted him down to a private, kicked him out of service, did not give him mustering-out pay, which ultimately caused this dear Army soldier to become homeless, notwithstanding the kind of contributions that he has made to a better America and what we were believing to be a better Iraq.

□ 1645

I would like specifically to call this incredible, awful situation in terms of Specialist Turner's fate, in private, now nothing, the Army soldier, used to be soldier, to the attention of the White House. We often say that we support our troops. We get criticized when we do not support Iraq and the money that goes into Iraq, and I would ask the President and all of his soldiers there on Pennsylvania Avenue and those who are responsible for this incredible inhumane act against an individual who has done so much for this country to counteract, to reverse the vicious act that has been administered against him since he has been in this country by the United States Government. Make him whole, give him his mustering-out pay, and let the record show that he was, in fact, a specialist and not a private, a specialist when he received the honors that he received from the Army.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentlewoman from California (Ms. LORETTA SANCHEZ) is recognized for 5 minutes.



(Ms. LORETTA SANCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

(Mr. RODRIGUEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. FROST) is recognized for 5 minutes.

(Mr. FROST addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING OUR AFRICAN AMERICAN CONGRESSIONAL PIONEERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, I asked for this time today because I felt as we finish up the month of February, Black History Month, it would be appropriate for this body to take a step back into history and remember the pioneering African American Members of this body as well as two men from my State, Illinois, who fought against the practice of slavery.

Mr. Speaker, the Members may not know this, but of the first 19 African American Members of the House, each and every one of them was a Republican. And of the 19 black House pioneers, most were freed slaves. My time only allows me this evening just to mention a few of them because I think they each have very impressive stories and records of serving this country and working towards the goal of civil rights for all.

The first African American to serve in the House was Joseph H. Rainey from South Carolina. Mr. Rainey's parents, Edward and Gracey, were slaves when their son was born in 1832 in Georgetown, South Carolina. Rainey's father was a successful barber in the area and through hard work was able to earn and pay for the family's freedom from slavery. After the Civil War broke out in 1861, the Confederacy conscripted Joseph Rainey to work on the military fortifications of Charleston's harbor. Rainey dreamed of escaping from the military drudgery to a life working without the stigma of color. The dream became reality when he and his wife boarded a ship bound for the

West Indies. Rainey took on the family trade and worked as a barber in Bermuda, and his wife worked as a dressmaker. He studied the manners and conversation of his educated customers, and hearing that opportunities for African Americans were better than they used to be in postwar South Carolina, the Raineys returned home. Rainey was elected to the United States House of Representatives in 1868, took office in 1869, was a leader in the fight for civil rights.

Mr. Speaker, I am proud to announce on this floor tonight that our own House Republican conference, led by the gentlewoman from Ohio (Ms. PRYCE), has initiated a program called the Joseph Rainey Scholars to honor the memory of Congressman Joseph Rainey. The Rainey Scholars program aims to get African American students involved in government and to learn about the history of African Americans in the Congress. Currently, there are 10 college students participating in this program, which includes the option of being a congressional intern.

In 1871, Robert Brown Elliott was elected to the U.S. House as a black Republican from South Carolina. He had previously served as the State House Speaker, again was an outspoken advocate for civil rights and often noted the role of African Americans in our own Revolutionary War, the War of 1812, and on the side of the Union in the Civil War.

John Roy Lynch was elected to this body in 1873 as a Republican from Mississippi. Lynch was a Republican Party activist who served as a delegate to five Republican conventions. In fact, Mr. Lynch presided over the 1884 Republican convention in Chicago, serving as the first African American ever to preside over a national party convention.

Charles Nash, elected in 1875, a Republican, was the first black to represent Louisiana in Congress. John Mercer Langston was elected to the House in 1890 and later served as Consul General to Haiti. The first black Member of the United States Senate was also a Republican, Hiram Rhodes Revels from Mississippi. Senator Rhodes took over the seat once held by the President of the Confederacy, Jefferson Davis.

Mr. Speaker, we salute these African American pioneers in Congress, and we remember the path they have made for African Americans to make a difference in our government and in our country.

Additionally, Mr. Speaker, I would be remiss if I did not mention two other major figures in the Republican Party, both from my home State of Illinois. Though while not African American, both played a big role in the fight for freedom, opportunity, and equality. First, of course, was our 16th President, Abraham Lincoln. We all know under Lincoln's leadership the Republican vision of equality was advanced with the Emancipation Proclamation

of 1863, followed by Lincoln's insistence that the abolition of slavery be part of the 1864 Republican platform.

But, Mr. Speaker, I also wanted to draw to the Members' attention Owen Lovejoy from Princeton, Illinois, a community I represent in the 11th Congressional District. Owen Lovejoy came to Princeton, Illinois, in 1838 to assume the ministry of the Hampshire Colony Congressional Church. He was known as a fiery abolitionist who preached his views from the pulpit, causing much dissension in a community already divided over the slavery issue.

A strong supporter of Abraham Lincoln, Lovejoy, a Republican, was elected to the State legislature and then in 1856 began five terms in the U.S. House of Representatives. Lovejoy became known for his efforts on behalf of the abolition of slavery and was among the leaders in the House in advancing civil rights. His home was one of the most important stations in the underground railroad in Illinois. Runaway slaves were harbored by the Lovejoy family until arrangements could be made for them to travel to the next station on the way to Canada and freedom. Today the Lovejoy home stands as a reminder of Lovejoy's efforts.

Mr. Speaker, as Black History Month comes to a close, let us remember our heroes, those pioneers who stood for freedom and led the way to today's equality.

#### CLIMATE CHANGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GILCREST) is recognized for 5 minutes.

Mr. GILCREST. Mr. Speaker, in recent years there has been a significant conflict in our discussion and certainly differences of opinions from reliable sources about whether or not human activity is affecting the climate. So what I would like to do this evening in just the short time that I have is not to say that the Earth is warming, not to say that the Earth is cooling, not to engage in the dispute as to whether human activity is causing the climate to change or the climate to warm. But what I would like to do is to present some observations from various independent scientists including the National Academy of Sciences that did a study to evaluate the International Panel on Climate Change, a study that was conducted by about a thousand scientists from around the world, to draw from the President's own scientists to make a determination as to what really are or what can be seen as observations of the indicators of whether we are engaged in a climate change.

If we observe the world the way it is now and the way it was 100 years ago and through an analysis the way it was 400,000 years ago, can we make some determination about the type of climate we have today, what we had 100 years ago, what we had 10,000 years

ago, and what might happen in the future? To do this, there are certain understandings in the scientific community that the ocean, the land, and the atmosphere working together provide us with a type of balance in the heat distribution on the planet. No one would dispute that the Earth, the ocean, and the atmosphere work together through various means to make the type of climate that the planet has right now. The atmosphere and the elements that make up the atmosphere and all the different kinds of gasses are in a constant cycle with the Earth and the oceans. So that is not in dispute.

If we observe the planet today and 150 years ago, we will see that there is a warming trend both on the surface of the land, the surface and subsurface of the oceans. There is a significant retreat of glaciers around the planet, and the Arctic Sea ice is getting smaller and actually thinning. So if we look at these observations, someone could say that there is a natural cycle over the last 150 years and we happen to be in a warming trend. If we take the climate over the long range and we go back 10,000 years ago through an analysis of ice cores, certain seabeds, coral, crustaceans, et cetera, if we go back 10,000 years, we will see a natural range of fluctuation on the climate of the planet, a natural range of fluctuation due to a number of variables including the atmosphere, land, and ocean, the wobble of the Earth, the closeness we are to the sun, et cetera. There is a predictable change in the climate based on the last 10,000 years. In fact, we could go back 400,000 years and base that prediction.

What we are now seeing, though, in the last few decades of the 20th century and the first decade of the 21st century, are environmental variables that have not been seen for 400,000 years. If we look at what is making up our atmosphere and the kind of greenhouse gasses that we need in order for a distribution of the heat balance, we will see an increase in these greenhouse gasses, most notably carbon dioxide or CO<sub>2</sub>, a more significant increase now than we have seen in the last 400,000 years. The amount of carbon dioxide that has been in the atmosphere over the last 400,000 years has been a predictable amount based on the historical records which we find in ice cores and so on; but that natural range of fluctuation, the amount of CO<sub>2</sub>, the amount of greenhouse gasses in the atmosphere, was seen to have a pattern, a trend. But the increase in CO<sub>2</sub>, carbon dioxide, that we have seen now in the last 50 years is larger, stronger than has ever been seen before.

So is it a natural bump up in CO<sub>2</sub>? When we calculate the natural sources of CO<sub>2</sub> on the planet, and there are many, we will have a certain amount of CO<sub>2</sub> in the atmosphere. What is the percentage of CO<sub>2</sub> in the atmosphere? When we take in all of the natural variables, we still have more than we have ever had before.

When we take in another variable, which is interesting, human activity, this answers the question that human activity is increasing CO<sub>2</sub> in the atmosphere, changing the climate in ways that may not be predictable. Just a few facts to lay upon the table.

#### UNBORN VICTIMS OF VIOLENCE ACT OF 2003

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. AKIN. Mr. Speaker, the topic that I would like to take a look at this evening is the passing of a very important piece of legislation which is scheduled for this week, and that is the Unborn Victims of Violence Act.

But I would like to approach this standing back just a minute from a piece of legislation and try to put what we are trying to accomplish this week into context, in fact, into the American context. So I would challenge those, particularly those who are Americans, to answer a question, a very basic question, and that is let us say that someone from another country, and there were a television camera running, were to ask how would they define in a condensed sentence the uniqueness or the essence of what America is. What is it that has made America unique? What has created a Nation that people have come from all over the world to immigrate here? What has created a Nation where we have to have border guards to try to keep people out whereas other nations put minefields and machine gun nests to try to keep people in?

□ 1700

What is it that made America unique, and how would you say that in one simple sentence?

I suppose one of the rules that people who have been involved in politics for some period of time know is that you are not supposed to ask a question unless you have an answer to the same question. So if I were asked to try to summarize what America is about, I would go to our birthday document, to the document that separated America into an independent and unique Nation, and that is the Declaration of Independence, our birthday document.

In that document you find a long and somewhat complicated sentence, but a very important sentence in terms of defining who we are and what has made us so unique. It is the sentence that says, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness."

Now, the sentence does not end with "pursuit of happiness." It goes on to say that governments are instituted among men for the particular purpose

of securing those rights, that is life, liberty and the pursuit of happiness.

Let us say we take this long sentence, and, as a former engineer myself, we put it into a formula. The formula is pretty straightforward. It has three parts. The first thing is there is a God; the second thing is God grants to mankind, to all people, and in particular our Founders were talking about Americans, certain unalienable rights; and chief among these are life, liberty and the pursuit of happiness.

And so it was based on this document, this simple three-point statement in a sense, that our forefathers declared this a free and independent Nation, and it is by this formula that we believe that all men everywhere are granted with certain unalienable rights, which has to a large degree motivated much of our behavior and defined America. It has also created in America, although it was there for the 170 years before, a culture of respect for life.

Now, how then does the piece of legislation that we are looking at connect to this culture of life in America? I think it is easy when you are discussing legislation to, first of all, talk about that there is some problem, and then you have a bill which is designed to solve the particular problem. So in order to help define the problem that we have in America legislatively, I have a copy here now of a testimony that was given by Tracy Marciniak before a committee, and I would like to read part of her testimony to help define what is going on and the need, the tremendous and important need, that we pass the Unborn Victims of Violence Act.

"I carried Zachariah in my womb for almost 9 full months. He was killed in my womb only 5 days from his delivery date. The first time I ever held him in my arms he was already dead."

The letter goes on. She is pointing to a photograph of her with this child in her arms.

"There is no way that I can really tell you about the pain I feel when I visit my son's gravesite in Milwaukee, and at other times, thinking of all that we missed together. But that pain was greater because the man who killed Zachariah got away with murder. Please don't tell me that my son was not a real victim of a real crime. We were both victims, but only I survived."

"Zachariah's delivery date was to be February 13, 1992, but on the night of February 8, my own husband brutally attacked me at my home in Milwaukee. He held me against a couch by my hair. He knew that I very much wanted my son. He punched me very hard twice in the abdomen. Then he refused to call for help, and prevented me from calling."

"About after 15 minutes of my screaming in pain that I needed help, he finally went to a bar and from there called for help. I and Zachariah were rushed by ambulance to the hospital, where Zachariah was delivered by

emergency cesarean section. My son was dead. The physician said that he had bled to death inside me because of blunt force trauma.

"My own injuries were life-threatening. I nearly died. I spent 3 weeks in the hospital.

"During the time I was struggling to survive, the legal authorities came and they spoke to my sister. They told her something that she found incredible. They told her that in the eyes of Wisconsin law, nobody had died on the night of February 8th. Later, this information was passed on to me. I was told that in the eyes of the law, no murder had occurred. I was devastated.

"My life already seemed destroyed by the loss of my son, but there was so much additional pain because the law was blind to what had really happened. The law which I had been raised to believe was based on justice was telling me that Zachariah had not really been murdered.

"It took over 3 years for this case to go to trial. The State prosecuted my attacker for first degree reckless injury and for false imprisonment, and he was convicted of those counts. They also prosecuted him under a 1955 abortion law, but they failed to win a conviction on the abortion count because that law required that they prove a specific intent to destroy the life of my unborn child. I do not fault the State authorities or the jurors. They simply did not have the legal right or tool for this type of case. The law simply failed to recognize that anybody who looks at the photo should be able to see that Zachariah was robbed of his life."

That, my friends, is the problem with our laws that we are attempting to fix, that we are attempting to remedy here, with the Unborn Victims of Violence Act. What the act does is it recognizes the fact that when there is a crime of this nature, it recognizes both people who were victims to that particular crime.

Now, there is talk that this law is unnecessary. There are some people who say, no, we do not really need to recognize the second person that is involved. But I would suggest that if one were to talk to the people who have lost their child, women who have been violently attacked in this way, and particularly those who have been attacked in this way close to the time when they are about to deliver, that they would suggest otherwise, that there are indeed two victims. When you talk to the grandparents, they would suggest that there are two victims.

I am 56 years old. I recently, just a matter of a month or so ago, received some very exciting news. I have six children. One of them just this last summer got married. In fact, he got married to a young lady who was working in my congressional office. They have gone off, he is in the Marines, and you can imagine what the news was. We heard that she was expecting her first child, which meant that I was expecting to be, for the first time in my life, a grandfather.

I would suggest that if someone were to attack her and to end the life that is inside her, that it would be a very difficult thing to try to convince me that there was not a person involved, that I did not need to be concerned about the fact that, oh, maybe you are a grandfather, or something like that. I think most of us see that in the most common-sense way.

So that is what is involved with this piece of legislation, to be able to recognize that when a crime, a violent crime, is committed against an innocent, pregnant woman, that there are two victims involved.

At this point, Mr. Speaker, I would like to yield to one of my colleagues for whom I have a great deal of respect, the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is a great privilege for me to join my colleague from Missouri as he leads this critical Special Order among my colleagues on legislation that this Congress will take up tomorrow, the Unborn Victims of Violence Act. We heard much debate today, Mr. Speaker, on the subject of this legislation, and, for all the world, it seemed as though we were talking about a bill that had something to do with the debate over abortion.

This bill most certainly emanates around a respect for the life of a mother and the nascent life within her, but this is not a debate over abortion or the right to life, but rather this is a debate about justice. It is about the institution of Congress in Federal law recognizing, as 29 other States have recognized, the demands of justice when a woman and her unborn child are both the victims of a crime.

The Unborn Victims of Violence Act is simply legislation authored by the distinguished gentlewoman from Pennsylvania (Ms. HART) which recognizes that when a criminal attacks a pregnant woman and injures or kills her unborn child, that he has claimed two human victims.

The bill would establish that if an unborn child is injured or killed during the commission of an already-defined Federal crime of violence, then the assailant may be charged with a second offense on behalf of the second victim, the unborn child. The exact charge, of course, would depend on which Federal law was involved.

It may astonish many of those that look in on our debates and proceedings, Mr. Speaker, to know that under current Federal criminal law, an unborn child is not recognized as a victim with respect to violent crimes. For example, if a criminal beats a woman on a military base and kills her unborn child, he would be charged only with battery against that woman, because the unborn child's loss of life is not at the present moment even recognized as a crime under Federal law.

Therefore, as we engage in this critical debate on the House floor tonight, and as we move this legislation, I believe, with broad bipartisan support tomorrow, it is my hope that our intentions will be laid bare that this is not about the debate over the sanctity of life or some debate over the fault lines of the culture war, but, rather, this is simply a debate about justice and about the demands of justice.

To those, Mr. Speaker, who say that this is somehow an idea on the fringe of the American political debate, I offer as case in point this chart, which points to the fact that there are at the present moment, with the recent addition of Kentucky, 29 States in the Union, even, using my mathematical skills, nearly 60 percent of the United States of America in their various State laws, including my home State of Indiana, that recognize fetal homicide for all or part of prenatal development.

□ 1715

Mr. Speaker, 29 States recognize a criminal act, when performed against a pregnant woman, that criminal charges can be rendered, not only against the woman who is assaulted, but against the unborn child. And here Congress is with regard to Federal law, in a very real sense, Mr. Speaker, trying to catch up with what 29 States have already understood in their State legislatures and assemblies to be the demands of justice.

Now, as to the issue of whether or not this is by subterfuge a debate about abortion, I think it is important to point out, as pro-life as I am, and proud of it, this bill explicitly provides that it does not apply to any abortion to which a woman has consented, to any act of the mother herself, legal or illegal, or to any form of medical treatment, period. That is in the specific language of this legislation. Therefore, those who would argue that by subterfuge, somehow, in the language there is an effort to erode *Roe v. Wade* with a fetal homicide law on the Federal level, do so with a genuine lack either of understanding or lack of intellectual honesty.

In fact, it is well established that unborn victims laws do not conflict with the Supreme Court's pro-abortion decrees beginning in *Roe v. Wade*. The 29 State laws mentioned above have had no effect on the practice of legal abortion in those States. Criminal defendants have brought many legal challenges to State unborn victims laws based on *Roe*, but all such challenges have been rejected by State and Federal courts. The jurisprudence on this issue is overwhelming and decisive.

But as I close and prepare to yield back to the gentleman from Missouri who is leading us tonight in this debate, it would be wrong to spend the few moments that I have on this blue carpet tonight speaking of this issue as though it could simply be resolved in the cold confines of law schools and judicial chambers. When we talk about

the demands of justice, I believe we are talking about the fundamental obligations of this institution to interpret the intangible obligations of the law. And as we come upon the very idea of a woman who is assaulted and as a function not only may have lost her life, but lost the life of her unborn child, and the wake and wash of grief that is left behind that, we cannot think of this in cold and sterile terms. So I close with two examples of the real world impact of crimes against unborn children.

Carol Lyons' 18-year-old daughter, Ashley, is pictured here; a beautiful young woman who, along with her unborn child, was murdered in Scott County, Kentucky, on January 7 of this year. And her mother, Carol Lyons, speaking of the law about which we debate tonight, said, "Nobody can tell me that there were not two victims. I placed Landon," her grandson, "in his mother's arms. I wrapped him in a baby blanket that I had sewn just before I kissed my daughter good-by for the last time and closed the casket."

Carol Lyons, whose 18-year-old daughter, Ashley, and unborn grandson, Landon, were killed just weeks ago, said, "Nobody can tell me that there were not two victims."

And of the legislation that we will consider tomorrow, another voice. This legislation has even come to be known euphemistically as Laci and Conner's Law, and there is scarcely an American who does not know the story of Laci Peterson and her unborn baby, Conner, a woman who was abducted on Christmas day and vanished and was found brutally murdered, with her 8-month child a victim as well. Her mother said the following: "Of those who would have us think of this type of an act as only having one victim," Sharon Rocha, mother of Laci Peterson, said, "please understand how adoption of a single victim proposal would be a painful blow to those like me who are left to grieve after a two-victim crime, because Congress would be saying that Conner and other innocent victims like him are not really victims, indeed, that they never really existed at all. But our grandson did live," Sharon wrote. "He had a name, he was loved, and his life was violently taken from him before he ever saw the sun."

This parent, and no parent within the sound of my voice, can fail to be moved by the tragic loss of both of these families or, in my judgment, fail to understand the opportunity we have as Congressmen and -women, Republicans and Democrats, in the next 24 hours to pass the Unborn Victims of Violence Act, not to engage ourselves in yet another tiresome debate on the fault lines of a woman's right to choose, but rather to engage ourselves in the expansion of justice, to look at the grief of these families and know what plain, commonsense Americans all know: that there are two victims and Federal law, as 29 other State laws have done, should recognize and address that with clarity.

With that, I yield back to the gentleman from Missouri with gratitude for his leadership on this issue and for hosting this important debate tonight.

Mr. AKIN. Mr. Speaker, I thank the gentleman for his pointed and well-taken comments.

It is now my honor to be able to yield the floor to the gentleman from Florida (Mr. WELDON), a doctor, and my esteemed colleague and good friend.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding me this time. Let me just commend my good friend and colleague, the gentleman from Indiana (Mr. PENCE), for the outstanding job I think he just did laying out many of the issues that have surrounded this debate. I agree with the gentleman, it is high time that we adopt the position that exists in 29 States; and I believe ultimately that most States will adopt this statute.

I also want to commend the gentleman from Indiana for his advocacy regarding the fence in Israel. I think that is a very, very important issue. The gentleman's resolution that he is trying to bring forward I think is very timely and very important. The fence in Israel is preventing hundreds of these suicide bombers from getting into Israel and killing people; and I think it is a tragedy, as the gentleman from Indiana does, that that case is before that court in Europe, and the Israelis are doing the right thing.

Getting back to the issue at hand here, I want to really commend my colleague, the gentleman from Missouri, for bringing this very important issue up. I am just going to speak as a doctor. We are going to hear from attorneys. We will hear, perhaps, from philosophers tonight on this issue. I practiced medicine before I came to this body. It was a joy; it was a pleasure practicing medicine. But there were some things that were unpleasant that I had to do. I will not mention them all; but one of them was, of course, the sad business of pronouncing people dead. We would frequently be called in to a hospital room by the staff, by the nurses and asked to assess the patient. The nurse was calling us to make a pronouncement of death. What do we do? Well, we check for a heartbeat; and, in cases where people are brain dead, we check for brain waves.

Well, science tells us that babies have brain waves and beating hearts very early in development. You can detect a beating heart at 17 days and brain waves at 40 days. Now, of course, with new modern technology, we have this new technology called 4-dimensional ultrasound where we can get a 3-D image on tape of a baby in the womb actually moving, and you can actually see them moving their face, opening their eyes, sucking their thumbs, moving around. They have the appearance of a human being, because they are a human being. And obviously, many of us understand that.

When we have one of the tragedies like we have seen and talked about to-

night, Laci Peterson and this case in Kentucky is very, very heart-wrenching, and to say there is not a second victim to me defies logic. We desperately need this in Federal law. There have been cases that we have been unable to bring of double murders because we do not have a statute where punishments would have been meted out more significantly if we were able to bring the second murder case. So I think this is very timely legislation. It is very, very important.

I certainly not only commend my colleague, the gentleman from Missouri, for bringing this debate forward tonight, but I want to additionally commend the author of the legislation, the gentlewoman from Pennsylvania (Ms. HART), a great member who sits on the Committee on the Judiciary, and who has really been an outspoken advocate on this issue and, in particular, she is very knowledgeable about the law. So I am very, very pleased to support the legislation. I thank my good friend. I also want to thank the gentleman for standing up for the principles of our Constitution and seeing to it that the Constitution is properly interpreted in today's context of today's law.

Mr. AKIN. Mr. Speaker, I thank my colleague for his comments. It is an honor to work with him and serve with him. I appreciate his leadership on this and many other issues.

It is now my honor to yield to the gentleman from Arizona (Mr. FRANKS), who it is just an honor to serve with and someone who, though he has been here just merely a small number of months, considering how long some Congressmen have been here, one who has immediately been respected for his thoughtfulness and his articulate understanding of some of these questions. So I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I think that sometimes when we begin to debate an issue that is before us, it is always important to ask ourselves why we are really here. And if there is any foundational purpose for this Congress, it is to protect the innocent in humanity. Sometimes we complicate that greatly. Perhaps one of our greatest abilities as human beings is to hide from something that we would rather not face, and I think that that is indeed the situation that we face today.

The Unborn Victims of Violence Act has been distorted in the minds of many people. It has been distorted in the speeches that have been made from this well to a great degree. I find that people on both sides of the aisle, on my side of the aisle, they try to say, well, this has nothing to do with abortion; and that is true. On the other side of the aisle they try to say, well, this is just a disguised pro-life bill. In a sense, both of those things are true, and I think it is time for us to face it directly.

The truth is, this bill is not about abortion. But the fact is, if it were not for abortion on demand, we would not even be debating this bill. We would not even be questioning whether or not this was important. Because most of the opposition to this bill comes from those who try very hard, and I understand their problem, I understand their difficulty; they try very hard to put this bill aside as a nonserious issue because it makes them face the reality of the humanness of this little unborn baby child. And that is a difficult thing to face, because, after all, when we consider America's history since *Roe v. Wade*, we have taken the lives of 10,000 times as many babies as people who died on 9/11.

So I understand the hesitation to face the reality here; but sometimes, there has to come a point in all of our lives where we just put aside those things that we know in our hearts are not true and embrace what is obviously a self-evident truth.

□ 1730

The fact is that there really are two victims in this situation. When a mother is assaulted and her child is killed, there are two victims, and I speak to some degree from personal experience.

I used to live in Albany, Kentucky, many years ago, and this is far before such a bill like this was even contemplated. There was a situation where a man had, with his bare hands, killed an unborn child of a mother on the streets of Monticello, Kentucky, and try as they might, the prosecutors had a great difficulty in being able to bring the right kind of charge against this person.

They brought a charge of manslaughter, but again, *Roe v. Wade* was mentioned as a defense. They said, well, there is no child here. Everyone in the court, everyone connected to the case knew there was a child, and I would suggest to my colleagues, Mr. Speaker, that the mother knew there was a child, and perhaps as tragic as it was that this child died in the streets alone, I do not think anyone felt the reality and the horror and the tragedy more than that mother. For us here in Congress to say to her that her child was not real, that her grief was not real, is just beyond description, in my opinion.

Mr. Speaker, it is time that we recognize the truth here. It is time we all asked the real question, and that is, is there really a baby here? Mr. Speaker, an honest look at the truth reflects the unavoidable reality that there is a child, and if there is a child, how can those of us in this body, whose primary, principal purpose for being here is to protect the innocent, how can we ignore that fact?

I just hope, Mr. Speaker, that people on both sides of the aisle will simply recognize the reality of the humanness of the child and the great mourning of a mother that loses that child to someone that would deliberately take that

child's life or take that child's life incidentally to trying to assault her. It is time we stood up and did what was right, Mr. Speaker, and I hope that we will do that.

I just want to remind all of us that if we do not have the courage to protect the innocent, in the final analysis, no matter how erudite we are, we will never really find the true courage to protect that kind of liberty for anyone, and I pray that we respond in that manner.

Mr. AKIN. Mr. Speaker, I would like to thank my colleague for his appropriate comments and a challenge to all of us to recognize something that has been woven throughout America's past and her history over the years, a respect in the most basic sense, a respect for human life.

On this question about what does a mother feel when she is attacked and her child is killed, we have a letter from Laci Peterson's mother that I would share with my colleagues now, and it starts:

"I am writing to thank you for your ongoing efforts to pass 'Laci and Conner's Law,' the Unborn Victims of Violence Act," giving a bill number, "and to encourage you to redouble those efforts."

"On May 5, I and the other members of the family of Laci and Conner wrote to urge that this bill be passed as a tribute to Laci and Conner, and to allow true justice to be done in the future when such horrible crimes occur within the jurisdiction of Federal criminal law or military criminal law. I want you to know that I appreciate your efforts, all the more so because of some of the unfair attacks and criticisms to which you have been subjected in recent weeks by those who oppose the bill for misguided ideological reasons.

"I know that you have been working for years for this legislation, but I have only become aware of your efforts because of our recent tragic circumstances. I have been astonished and somewhat offended to see, in the news media, recent statements by some critics who say that those who have been working for years on this legislation are inappropriately 'exploiting' the public interest in the murder of Laci and Conner. I assure you that we do not see it that way. On the contrary, we believe that our case does provide a powerful illustration of why this type of law is absolutely necessary, and we urge you to continue to point to that connection. I intend to do the same, for as long as necessary to achieve the needed reform in the law.

"When a criminal attacks a woman who carries a child, he claims two victims. I lost a daughter, but I also lost a grandson. Fortunately, California law allows a double homicide charge in such a case, but if Laci and Conner had been killed in a Federal jurisdiction, or during commission of a Federal crime of violence, Conner's death would not be recognized or charged. Now that so

many people are becoming aware of this defect in Federal law, I hope that the Congress will move swiftly to approve the Unborn Victims of Violence Act. I was heartened to read the White House statement of April 25, stating, 'The President does believe that when an unborn child is injured or killed during the commission of a crime of violence, the law should recognize what most people immediately recognize, and that is that such a crime has two victims.'

"Over the last several weeks I have heard the arguments of opponents of Laci and Conner's law, but they seem to me to miss the point. In the first place, they should stop trying to turn this into the abortion issue. California's unborn victim law has been on the books since 1970, and it does not affect the availability of legal abortion, nor have any of the similar laws in effect in more than half the States. The Unborn Victims of Violence Act explicitly says that it does not apply to abortion, or to any acts of the mother herself.

"Having said that, I have no difficulty understanding that any legislator or group opposed to abortion logically would also support this bill to protect the lives of unborn children like Conner from violent criminal actions, and I welcome their support."

But she goes on to say, "What I find difficult to understand is why groups and legislators who champion the pro-choice cause are blind to the fact that these two-victim crimes are the ultimate violation of choice.

"I have looked very carefully at the 'substitute' legislation proposed by the opponents of Laci and Conner's law, which they call 'The Motherhood Protection Act,' proposed in the House of Representatives," and, "This proposal would provide that if the victim of a Federal crime happens to be a pregnant woman, and the crime somehow disrupts her pregnancy, a harsher sentence would be assessed than otherwise. But the Lofgren proposal would enshrine in law the offensive concept that such crimes have only a single victim, the pregnant woman. This would be a step in the wrong direction.

"I hope that every legislator will clearly understand that adoption of such a single-victim amendment would be a painful blow to those, like me, who are left alive after a two-victim crime, because the Congress would be saying that Conner and other innocent unborn victims like him are not really victims—indeed, that they never really existed at all. But our grandson did live. He had a name, he was loved, and his life was violently taken from him before he ever saw the sun.

"The application of a single-victim law," such as this particular amendment, "would be even more offensive in the many cases that involved mothers who themselves survive criminal attacks, but who lose their babies in those crimes. I don't understand how any legislator can vote to force prosecutors to tell such a grieving mother

that she didn't really lose a baby, when she knows in the depths of her soul that she did. A legislator who votes for the single-victim amendment, however well motivated, votes to add injury to injury."

I would, Mr. Speaker, now like to yield to the gentleman from Pennsylvania (Mr. MURPHY), my colleague and respected Member of the House.

Mr. MURPHY. Mr. Speaker, I thank the gentleman for yielding, and, Mr. Speaker, I rise today in strong support of H.R. 1997, the Unborn Victims of Violence Act introduced by my fellow gentlewoman from Pennsylvania (Ms. HART).

When we reflect back, I must acknowledge there was a time in our history when sadly it was not considered a crime for a man to beat his wife, because she was not granted a protective legal status. That is, what we now see as both immoral and illegal at that time was not seen as illegal. Luckily, we now see how grievous and how cruel that error in legal definition was.

Similarly, we cannot escape our bleak history when African Americans were not given rights, when Irish immigrants were seen as subhuman, and therefore, acts of violence against them went unpunished. As we recognized the value of human dignity, then we are compelled to do so again today.

When we hear about an action of violence against a pregnant woman where the baby inside her is killed, in some States the act would be charged with murder, and in some States he would not.

Fortunately, when I was a State senator in Pennsylvania, my State enacted a law that imposed criminal penalties on individuals who intentionally murder unborn children in acts of violence, and 29 other States have seen fit to enact laws protecting unborn children from violence. When a criminal in those States attacks a pregnant woman and kills her unborn child, he has killed two people. No doubt, no question, no room for argument.

But the question before us today expands this issue to other States. When a man brutally beats a woman and in that process kills her unborn child, he has committed murder. What if that woman's baby was due the following day, had a nursery decorated and clothes folded neatly and arranged, a mobile swinging above the crib? In 21 States this is not murder; in 29 States it is.

It is time we consider the morality of the baby's rights to be protected. We must protect them until they protect themselves, in the womb and during their young years. It is their right, and it is our duty.

Think of this. If a man wants to end the pregnancy and the woman does not, and he beats her until the life within her, by whatever definition or stretch one might hold, if that life ends, do we tell the woman her desires mean nothing, her hopes mean nothing, her baby is a sacrifice at the altar of legalese,

and she, as the mom, has no rights to her hopes and her dreams and her desires? Do we say to that mom her baby does not exist until someone defines it as so? Tell that to the mother. Tell that to the father. Tell them their baby was nothing.

I know that there are those that feel this will infringe on someone's rights, that this is a woman's issue. Well, I speak to my colleagues tonight as a father first and as a legislator second. This is not a woman's issue or a man's issue; this is a child's issue. These are lives we are talking about. I know that there are those who feel that this will infringe upon someone's rights, that this is a woman's issue, but a violent act must be punished, a violent act that is maybe even more heinous when committed against an individual so helpless that it needs the protections of its mother's body.

I think back on years when I used to work at McGee Hospital and Mercy Hospital in Pittsburgh, where I would see young babies born a month, 2 months, 3 months premature, perhaps born at 24 weeks, tiny little lives, and sometimes they survived and went on. Now I see some of them have gone on to graduate high school and college and have families of their own, and some did not make it, but I know very well the waves of grief that flowed over the families because they considered those children alive.

When a child is killed within the mother, by saying that is a child, by recognizing that as a murder, we are indeed protecting them. We are indeed saying something is right and something is moral, and we are attaching the right legal action upon that and protecting them.

Thomas Jefferson once said, "I tremble for my country when I reflect that God is just and his justice cannot sleep forever."

□ 1745

What we face now is a time of bringing to justice those who try and kill those children, and we bring protection to those children too. It is a time when we must do all these things and recognize how within this vast world we can sometimes play with all the definitions we want; but it is still a life, and it is still worthy of our attention.

Mr. AKIN. Mr. Speaker, I thank the gentleman from Pennsylvania. We appreciate his perspective and the challenge to each of us that we need to be about the business that is the fundamental business of our government, and that is to protect. To protect that fundamental right to life, which is so much the heartbeat and the central theme of our country from our very beginning, from our birth day.

I would make reference now just briefly to some polling data which may be of interest to some of my colleagues. Here is a poll that was taken, and I will read it specifically: "If a violent physical attack on a pregnant woman leads to the death of her unborn child, do

you think prosecutors should be able to charge the attacker with killing the fetus?" The response to this was 79 percent of the American voters who were asked this question, 79 percent said, yes, that we should. The polling data indicates that there is a strong and simple understanding of the fact that such a violent attack as this is really an attack on two individuals.

We have, of course, voted this bill in the House in the past. In the 107th Congress, my first Congress, it was passed by 252 to only 172. It was passed in the previous Congress, the 106th Congress, by 254 to 172. So we have a record of having passed this before. I believe that it is time for us to get on with our business and move ahead with this bill and continue in our tradition of a deep-seated respect for life in America.

Now, when I started my comments not so long ago, I asked if we were to define America in one sentence, if we had to get the essence, the core, of what makes us who we are and we had to try to simplify that and put it into something that would be understood to someone from a foreign country that asked, what is the secret, why is America different, I believe the answer to that question is found in our birthday document, the Declaration of Independence, which is that great sentence, "We hold these truths to be self-evident: That all men are created equal and endowed by their creator with certain unalienable rights; that among these is life, liberty, and the pursuit of happiness."

That document goes on to say that it is the job of government to protect those basic rights. And so if we as Members of the Government of the United States fail to protect that basic right to life, that God-given unalienable right to life, if we fail to take this action, then we fail in our most fundamental purpose as a Nation. We, in fact, are almost turning our back on the organizing principle, our birthday document, and everything that Americans have held dear.

Now, this respect for life was not just reflected in one document years ago, but it has been part of our culture for years. Our founders bled and died and fought a great war for our independence to defend this basic principle. We have seen throughout our history challenges in the courts which have threatened the essence of personhood. There was, of course, the Supreme Court decision where the Supreme Court decided to stop looking at the Constitution and just started to get into the legislative business in *Dred Scott*, resulting in, or is at least partly responsible for, the great scourge of the Civil War, where we said that people really were not going to acknowledge this personhood.

We have seen this culture carried even forward to our own day. I think some of the most vivid imagery that perhaps many of us can recall came on September 11. It was not a matter of people saying words; it was the way that they lived their lives before everybody watching that showed this respect



that America has for life, when we saw the big, strong police and the firefighters taking people that were in wheelchairs that were hurt or helpless, risking their lives to try to protect the lives of fellow Americans. This was not something that was orchestrated. This was something that we just did. It was an outpouring of the very heart of America.

Subsequently, as we started to go after those people who did not have the respect for life that we have in our culture developed through the years, these terrorists who make it their job of killing people, of taking life, how did we proceed? Did we do the very safest and simplest thing for us, which would have been to unleash a whole lot of nuclear devices on countries that were targets? Of course we did not. We took extra pains to make sure that we tried to minimize collateral damage. We tried to be very, very careful that nobody's life was taken except for people who were immediately responsible or culpable for these acts of terrorism. That has been done at a great risk to many of our own airmen and our own soldiers and all who are involved and even now defending us overseas as we discuss these important questions.

Mr. Speaker, in conclusion, I would call my colleagues back to the things that America has always stood for; that our young men and women have sometimes come home underneath a flag defending this very basic concept, a concept that is bigger than America, a concept that is being taken by America to the entire world, the concept that there is a God, and that every single person in this world is an heir to these unalienable rights, particularly this right to life.

So I close with this appeal that we must recognize this right to life in this situation where a little child is beaten to death. They must be recognized by law, and I urge my colleagues to pass the Unborn Victims of Violence Act.

Mr. Speaker, I yield now to the gentlewoman from Pennsylvania (Ms. HART), my respected colleague and the coauthor of this legislation.

Ms. HART. Mr. Speaker, I thank the gentleman for his comments and for his support for the legislation. I want to also emphasize the support we have heard today not only from our colleagues, but the support we have heard today from the Lyons family from Kentucky, the support that we have heard from a number of different families who have experienced this tragic loss of their daughter and their grandchild.

It is a very sad situation that we are talking about with this legislation, but it is one that we obviously can try to help prevent through a criminal law, through recognition of the mother and the child both as victims, and one that I think we would be remiss in fact in our work if we do not pass this legislation.

Recent polling shows that upwards of 80 percent of registered voters, and that includes 69 percent of registered

voters who identify themselves as pro-choice, believe that prosecutors should be able to separately charge the attacker who attacks a pregnant woman and causes injury or death to her and/or her unborn child. Twenty-nine out of the 50 States already have legislation that recognizes that crime, the crime against the mother and the crime against the unborn child.

The language that we use, which has been somewhat controversial by those opponents of this bill, is where we describe a child in utero. This is actual language that this House has used before, and the House passed the bill unanimously. So that language was supported unanimously on a bipartisan basis in legislation that passed before I came to this Congress. I believe it was in the 106th Congress that they passed a bill called the Innocent Child Protection Act, which banned the Federal death penalty for a woman who is pregnant and they described the pregnancy as "carrying a child in utero," and defined that child exactly to the word as we have defined that child in our legislation.

Therefore, Mr. Speaker, it is obvious that this is not new. This language is well set and accepted by this House of Representatives, and anyone who tries to make a claim to the contrary is simply ignoring the truth. They are ignoring the facts.

The most important part, though, Mr. Speaker, is that we recognize families. We recognize women who have made a choice to carry their child to term, a mother to carry her child to term. A woman who is attacked, who may be murdered or may just be seriously injured and survive the attack, will have to live the rest of her life with the knowledge that someone attacked her and took that choice away from her, killed her child. It is important for us to recognize and allow our law enforcement and prosecutors to recognize that child, recognize that family's loss, and allow a prosecution of that crime.

Finally, Mr. Speaker, I want to bring up a couple of points about domestic violence. We have seen statistics that show that unfortunately the cause of death among pregnant women in States that actually keep those statistics, Maryland, New York, Illinois, among the ones that we saw, showed us that upwards of a quarter of the pregnant women who die, die as a result of a homicide.

Mr. Speaker, the recognition of that fact is important for us as well. It is a serious case of domestic violence when a woman is beaten to death, clearly. It is a serious case of domestic violence when both the woman and her child are beaten to death, her unborn child is beaten to death. It should be recognized by this Congress. It should be recognized by this Nation.

I encourage my colleagues to support our two-victim bill, the Unborn Victims of Violence Act, named in honor and remembrance of Laci and Conner

Peterson; and I thank the gentleman from Missouri (Mr. AKIN) for yielding to me.

#### PENTAGON OPENS CRIMINAL FRAUD INVESTIGATION INTO HALLIBURTON

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, earlier this week the Pentagon did something that the House Republican leadership should have done many months ago, and that is they opened a criminal fraud investigation into Halliburton. The Pentagon is expected to investigate the overcharging of at least \$61 million for fuel shipped from Iraq to Kuwait. Halliburton has also been accused of charging the government for meals it never served at dining facilities in Iraq and Kuwait. The company agreed to reimburse the government \$27.4 million for potential overcharges related to the meals and \$6.2 million to cover other potential overcharges.

Now, Mr. Speaker, all I can say is it is about time. I have been coming to the floor with a group of my Democratic colleagues to highlight these possible overcharges by Halliburton and called on the House Republican leadership to hold open hearings on whether or not Halliburton is overcharging the American taxpayer with its reconstruction work in Iraq. Instead, the Senate and the House, both controlled by Republicans, continue to turn a blind eye to possible waste and mismanagement by Halliburton in Iraq. Congressional Republicans even refuse to question the Bush administration on the billions of dollars of taxpayer money now going to Halliburton, much less create any special committee to oversee these funds.

I ask you, Mr. Speaker, what are my Republican colleagues afraid of? Why do they refuse to hold Halliburton accountable for the billions it is now spending in Iraq? Could it be that congressional Republicans do not want to draw more attention to the fact that the company profiting from the reconstruction of Iraq, Halliburton, has close ties to Vice President CHENEY? Back in 2002, Vice President DICK CHENEY said these words, and I quote, "Halliburton is a fine company, and I am pleased that I was associated with the company."

Now, how can the Vice President say that Halliburton is a fine company? Let us look at some of the facts.

Fact number one: Halliburton has acknowledged that it accepted, and I quote, "accepted up to \$6 million in kickbacks in its contract work in Iraq."

Fact number two: Halliburton is now being investigated by the Pentagon for overcharging the American government for its work in Iraq.

□ 1800

Fact No. 3, Halliburton faces criminal charges in a \$180 million international bribery scandal during the time that CHENEY was the CEO of the company.

Fact No. 4, Halliburton has been repeatedly warned by the Pentagon that the food it was serving 110,000 U.S. troops in Iraq was dirty, and a Pentagon audit found blood all over the floor of the kitchens Halliburton supplies over in Iraq.

Fact No. 5, Halliburton is getting around an American law that forbids doing business with rogue nations. Thanks to a giant loophole, Halliburton is able to do business with Iran, of all nations, through a subsidiary in the Cayman Islands.

Mr. Speaker, how can the Vice President characterize Halliburton as a fine company? One has to wonder since Vice President CHENEY seems to condone such conduct if the company was any different when he was in charge. It probably makes sense for the Vice President to continue to praise Halliburton considering that the company continues to pay the Vice President hundreds of thousands of dollars each year. Vice President CHENEY tried to squash such a story when he appeared on Meet the Press last year. He stated, "And since I left Halliburton to become George Bush's Vice President, I have severed all of my ties with the company, gotten rid of all my financial interest. I have no financial interest in Halliburton of any kind, and have not had now for over 3 years." That was the Vice President's quote on Meet the Press.

But despite the Vice President's claims, the Congressional Research Service issued a report several weeks later concluding that because Cheney receives a deferred salary and continues to hold stock interests, he still has a financial interest in Halliburton. In fact, if the company were to go under, the Vice President could lose the deferred salary, a salary he is expecting to continue to receive this year and next year. While losing around \$200,000 a year might not put a dent in the Vice President's wallet, he clearly still has a stake in the success of Halliburton.

The Vice President also neglects to mention that he continues to hold more than 433,000 stock options. The Congressional Research Service reports that these stock ties "represent a continuing financial interest in those employers which make them potential conflicts of interest."

This was not the first time that Vice President CHENEY has misrepresented his role in Halliburton. Just last month the Vice President stated, in reference to government manipulation by Halliburton during his tenure, "I would not know how to manipulate the process if I wanted to." But what the Vice President neglects to say is that Halliburton cashed in after Cheney took over Halliburton. Under Cheney's

leadership, Halliburton doubled the value of its government contracts. According to a report by the Washington-based Center for Public Integrity, the company took in revenue of \$2.3 billion on government contracts, which was up \$1.2 billion from the 5-year period before the Vice President arrived.

It is possible that Halliburton is the right company to do this work, but then how does the Bush administration and the Republican Congress explain why there is so much secrecy surrounding the whole deal? Could it be that the Republican Congress and the Bush administration are concerned that the more light that is shed on Halliburton's use of taxpayer money, the more examples of waste and mismanagement are likely to be exposed?

Mr. Speaker, earlier this month since congressional Republicans refused to hold hearings on the billions of dollars handed over to Halliburton with no oversight, my Democratic colleagues in the other Chamber held a hearing in which a former Halliburton employee testified about the company's practices. Mr. Bunting purchased supplies for Halliburton in Kuwait last summer. According to Bunting, Halliburton spent too much on supplies for the reconstruction effort in part because it wanted to avoid seeking competitive bids from government suppliers. Bunting charges that Halliburton's supervisors wanted purchasers to buy from a preferred list of companies in Kuwait even when those companies charged high prices. Supervisors also told their workers to keep most purchase orders below \$2,500 so that the company would not have to seek bids from multiple vendors. Now Bunting is a former employee of Halliburton's, and he is telling a group of Democratic Senators that the company is overcharging the American taxpayer.

Even with all of this information, the House Republicans continue to allow Halliburton to receive billions of dollars without any oversight from Congress. If Democrats were in the majority in the House, we would definitely be making sure that Halliburton was no longer ripping off the American taxpayer. In fact, if it had not been for the resourceful work and the dedication of two of my colleagues, Halliburton would still be robbing the taxpayers blind with outrageous gasoline prices.

Last year two of my Democratic colleagues on the Committee on Energy and Commerce, a committee on which I serve, the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. WAXMAN) exposed the outrageous fact that Halliburton was inflating gasoline prices at a great cost to American taxpayers. In a letter to the OMB Director Mr. Bolton, the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. WAXMAN) wrote that the independent experts that they consulted have been appalled to learn that the U.S. Government has paid Halliburton \$1.62 to \$1.70 to import gasoline into Iraq.

According to these experts, the price that Halliburton was charging the gasoline is outrageously high, potentially a huge rip-off, and highway robbery. During the relevant period, the average wholesale cost of gasoline in the Midwest was around 71 cents a gallon, meaning that Halliburton was charging over 90 cents per gallon just to transport the fuel into Iraq. Let me just repeat that again. The U.S. Government was paying Halliburton \$1.62 to \$1.70 to import gasoline into Iraq, but at that time the wholesale cost in the Middle East was around 71 cents a gallon. So Halliburton was charging 90 cents per gallon more just to transport the fuel from Kuwait. There is no way that could be justified. According to the experts, this exorbitant transportation charge is inflated many times over.

Compounding the cost to the taxpayers, this expensive gasoline is then sold to Iraqis at a price of just 4 to 15 cents per gallon. Although Iraq has the second largest oil reserves in the world, the U.S. taxpayers are in effect subsidizing over 90 percent of the cost of gasoline sold in Iraq. This is just incredible when we think about it.

Mr. Speaker, in light of this new information, the gentleman from California (Mr. WAXMAN) and the gentleman from Michigan (Mr. DINGELL) requested that OMB Director Bolton provide copies of all contracts, task orders, invoices and related documents issued to date regarding Halliburton's work in Iraq. The purpose was so Congress could conduct its own independent investigation of these issues on behalf of the U.S. taxpayer.

There is no question that this request from my Democratic colleagues was reasonable. After all, if Halliburton was grossly overcharging the American taxpayer for the transportation of oil, it was highly unlikely that the overcharges ended there. Over the past couple of months, we have learned of lots of other overcharges; and yet still my Republican colleagues are silent on the issue. We do not see the waste watchers, a group of Republicans who come down to the floor periodically to rail against waste in the Federal Government, a government that they currently control, and we do not see them coming down to the floor to rail about Halliburton's gouging of the Federal purse. We do not see any Republicans expressing the need for more congressional oversight of the current contracts going to Halliburton and others, even though these problems continue to be exposed in the media on a regular basis.

Mr. Speaker, it just appears to be another example of how the House Republicans have taken this House away from the people and handed it over to an elite few, corporate executives and other interests. I do not know how many more days are going to go by or how many more weeks are going to go by with continuing charges, often backed up in the media, about what

Halliburton is doing and how it is abusing its situation in Iraq before the Republicans in this body finally demand that there be some oversight and some hearings to look into these issues.

Mr. Speaker, again we have a huge deficit. We have a lot of spending needs. How can we possibly justify continuing to waste this money on behalf of Halliburton? It just does not make any sense.

Mr. Speaker, I see the gentleman from Ohio (Mr. BROWN) is here, and I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman. The gentleman from New Jersey (Mr. PALLONE) has put this into a perspective to sort of understand the whole operation in Iraq and what it has meant to this company which had very close ties to private citizen Mr. CHENEY, and still has very close ties to Vice President CHENEY. That context would be this: We are spending about 1.5 billion taxpayer dollars in Iraq every week, about \$1.5 billion every week in Iraq. Some of it is military, some of it is construction, a whole host of activities in Iraq.

Not nearly enough of that money goes, frankly, for body armor for our soldiers. As we have seen with the Halliburton scandals, not nearly enough of that money goes to feed or house the troops, or for protective armor on Humvees. We also know where a lot of the money is going. Approximately one-third of the billion and a half, close to \$500 million per week, is going to private contractors. Not the Pentagon, not government employees, not soldiers, not what we traditionally think of as a military operation; \$500 million roughly per week is going to private corporations. Many of those contracts are unbid contracts. A decision is simply made, possibly by Vice President CHENEY, who was CEO at Halliburton and still is on the Halliburton payroll. Some of that money is given in unbid contracts to Halliburton and other companies. Halliburton has \$2 billion in unbid contracts.

I have had regular meetings with Guard and Reserve families in my district. I do not think that the public understands, nor did I before I met with some of these families, when someone is in Iraq as a Guard or Reserve member, it almost always creates financial hardship for their family stateside. In other words, if you are making \$30,000 or \$40,000 working here, you give up that salary and go to Iraq with the Guard or Reserve, your family has significant financial pain as a result of your going overseas.

One woman told me her husband was driving a truck as a National Guard member, getting paid about \$1,500 a month, between Kuwait and Iraq. Next to him was another gentleman driving a truck that worked for Brown & Root, a subsidiary of Halliburton, who was paid about \$7,000 a month. The guy working for the taxpayers for the armed services in our Army was obvi-

ously wearing a uniform and getting paid \$1,500 a month, and was a target of obviously terrorist acts and Iraqi sharpshooters and suicide bombers. The civilian was less of a target because he did not have a military uniform on and was paid four or five times as much.

That is what this privatization of the military has done, coupled with the fact that not only is he paid that \$7,000, Halliburton is able to charge cost plus. They are able to charge the government the \$7,000 plus a certain profit markup. So the more that they pay their private civilians, this truck driver or their executives especially who are in Iraq, the more they can add on to the price, the cost to the taxpayers, as a result of these cost plus contracts.

So we have Halliburton as a private contractor bringing in billions of taxpayer dollars, and we have the Vice President of the United States who still is on the Halliburton payroll. When you think about that, we as a Nation, our taxpayers are funding unbid contracts to one of America's largest companies which has direct ties to the Vice President of the United States, it is a pretty incredible phenomenon, something the national media which generally does not like, and some of the national media are actually owned by defense contractors. GE owns NBC, for example, so it is no surprise they do not want to talk about that, and the list goes on.

The fact is that Halliburton, a company which has gotten literally a couple of billion dollars in private contracts, has close ties to Vice President CHENEY.

Let me mention a couple of comments, and then let me mention a couple of other facts.

Vice President CHENEY said before the election, "What I will have to do, assuming we are successful in the election, is divest myself, that is sell my remaining shares that I have in the company."

□ 1815

CNN reported in late 2003, a congressional report found that CHENEY still owns, quote, more than 433,000 Halliburton stock options, including 100,000 shares at \$54.50 a share, 33,333 shares at \$28 a share and 300,000 shares at \$39.50 per share. This is a company that gets billions of dollars in unbid contracts, the decision being made, perhaps by the Vice President, perhaps by the President, certainly somebody at the White House, and he has stock options in this company. That is one example.

Mr. CHENEY early this year said, "I severed my ties with Halliburton when I became a candidate for Vice President in August of 2000." He said that this year. Yet CNN reported along with 433,000 stock options, CHENEY still receives \$150,000 a year from Halliburton. The Vice President of the United States is paid \$3,000 a month from a company that gets billions of dollars in unbid contracts of taxpayer dollars. I

am not saying that Vice President CHENEY is making all these decisions because he is on their payroll, but he is on their payroll. He receives, not \$3,000 a month, \$3,000 a week, \$150,000 a year, \$3,000 a week by Halliburton, yet these unbid contracts continue.

He also said this during the campaign: "What happens financially by joining the ticket with Governor Bush obviously means I take a bath in one sense," meaning he was going to make less money. The New York Times said Halliburton has agreed to let Mr. CHENEY retire with a package worth an estimated \$20 million according to people who reviewed the deal. This contract is still giving and giving and giving and giving.

One more example. Then private citizen CHENEY in August of 2000: "I'll do whatever I have to do to avoid a conflict of interest. I'll eliminate the conflict, I can assure you. I've said repeatedly I will not tolerate or be a party to a conflict of interest while I'm Vice President. I'll do whatever I have to do to resolve that conflict." CNN just a few months ago said a congressional report found that more than 433,000 stock options he possesses is considered among the ties he retained or linkages to former employers that may represent a continuing conflict of interest. I do not know which is more astounding or which is more outrageous and which is, frankly, more immoral, the fact that he continues to get paid by this company while shoveling billions of taxpayers' dollars in unbid contracts to this company or the fact that Vice President CHENEY is not telling the truth about it.

This is an administration, as we are learning more and more, that falls short of telling the truth. Vice President CHENEY did not tell the truth about his willingness to cut ties with his company. He did not tell the truth about the unbid contracts. He is not telling the truth about the money he is still receiving from Halliburton.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURGESS). The gentleman will suspend.

The Chair must caution that it is not in order to refer to the Vice President in terms that are accusatory or personally offensive.

Mr. BROWN of Ohio. Mr. Speaker, I do not understand what that means. I appreciate the Speaker's comments. So if the Vice President said something and did another, I may say that; but if he said something and did another, I cannot say that he lied about it?

The SPEAKER pro tempore. The Chair would instruct that the gentleman should refrain from saying the Vice President did not tell the truth.

Mr. BROWN of Ohio. I would ask the Chair for advice on how I speak. If the President said something and did something else, if I am not supposed to say he did not tell the truth, what phraseology does the Chair allow me to use in this, I thought, open forum, open body where people can speak freely?

The SPEAKER pro tempore. The gentleman understands that it is not the purpose of the Chair to construct his remarks for him. The Chair would merely caution the gentleman that terms that are accusatory or personally offensive should not be permitted in the body.

Mr. BROWN of Ohio. I think it is pretty offensive that the Vice President is still receiving \$3,000 a month from a company which is getting billions of dollars in unbid contracts and he is telling us he has severed ties with that company. I guess I will not say the Vice President lied about it. I am not allowed to say that. I do not quite know how to describe it. But let me move to something else.

So we have an administration where the Vice President has done what I just said. We have an administration where the President has said the Medicare bill would cost \$400 billion; and I do not want to say the President lied, but then the Medicare bill we find out 7 weeks later cost \$530 billion. We find that the President told us one thing about Iraq. I do not want to say he lied, either, but then we find out something else entirely different about Iraq.

We hear, and I would mention this, on the front page of a generally pretty conservative newspaper in this city, that the President's people, the administration said just a couple of years ago, way after September 11, we would have 3.4 million more jobs created in 2003 than there were in 2000, yet it turns out we have had 1.7 million jobs fewer. I do not want to say the administration did not tell the truth about that, but their predictions were way, way off. Then the President said, the administration said, the budget deficit would be \$14 billion. It has turned into being \$521 billion.

Mr. Speaker, I think we are seeing here a habit of prevarication, a tendency to tell us one thing and see something else, whether it is the Medicare bill, whether it is Iraq, whether it is the President's connections with this company that is getting billions of taxpayers' dollars and giving to the Vice President \$3,000 a week and millions of dollars in stock options. It just does not really quite add up.

Mr. PALLONE. I appreciate my colleague from Ohio's comments. Regardless of how he has to phrase it, I think the bottom line is that there is a major inconsistency between what the Vice President said and what the reality is in terms of the amount of money and his connections to Halliburton. I have to say, though, "60 Minutes" did a report, I guess this was at the end of January, and I know that many of us have mentioned this before about this Halliburton subsidiary that is doing business with Iran. To me, although everything that we have mentioned is pretty bad, when this came out on the "60 Minutes" program back at the end of January, I was really more outraged by this than even all the other things that Halliburton was involved with.

This was on January 25, as I said, on "60 Minutes." Correspondent Leslie Stahl who was doing the report, the concern was on behalf of William Thompson, the New York City comptroller who oversees the \$80 billion in pension funds for New York City workers or employees. What he was speaking about was the fact that New York City employees' pension funds are basically invested in several companies, including Halliburton, that through subsidiaries do business with the countries that President Bush has referred to as rogue nations, such as Iran and Syria, Libya and others. I just wanted to zero in on Halliburton. We could talk about the others, but tonight we are talking about Halliburton because of the potential conflict of interest with the Vice President.

What was said on "60 Minutes," again, and this is a quote, in the case of Halliburton as an example, this is Mr. THOMPSON speaking, they have an offshore subsidiary in the Cayman Islands that does business with Iran. That subsidiary, Halliburton Products and Services, Ltd., is wholly owned by the U.S.-based Halliburton and is registered in a building in the capital of the Cayman Islands, a building owned by the local Caledonian Bank. Halliburton and other companies set up in this Caribbean island because of tax and secrecy laws that are corporate-friendly.

Apparently the law says that an American company cannot do business with one of these rogue nations such as Iran, but you can get around it in some way because the law does not apply to any foreign or offshore subsidiary so long as it is run by non-Americans. But I would venture to say that even that loophole is being violated by Halliburton in this case because in this "60 Minutes" interview, I guess they actually went to the subsidiary in the Cayman Islands and they were not allowed to enter the building with a camera so they went in with a hidden camera and were introduced to David Walker, the manager of the local bank where the subsidiary is registered.

"60 Minutes" figured, well, they would find some kind of operation here, some kind of business, but to their surprise they were told by David Walker, the manager of the bank, that while Halliburton Products and Services was registered at this address in the Cayman Islands, it was in name only. There was no actual office there or anywhere else in the Cayman Islands and there were no employees on the site. They were told, the "60 Minutes" reporters, that if mail for the Halliburton subsidiary comes to this address that they reroute it to the Halliburton headquarters in Houston.

Mr. Walker went on to say, the bank manager, and I quote, "If you understand what most of these companies do, they're not doing any business in Cayman per se. They're doing international business," says Walker. Would it make sense to have somebody in

Cayman pushing paper around? I do not know. And it is mostly driven by whatever the issues are with the head office.

So what is basically happening here is the head office in Houston of Halliburton is calling the shots. Nobody is working at this local subsidiary. It does not even have an office. It has simply been set up so that Halliburton can do business with Iran. Think about it. Iran is on the list of rogue nations. You cannot do business with them. Of course, Iran exports terrorism around the world. So essentially Halliburton is benefiting from terrorism. Here we are. The President said that the reason we went into Iraq was because of the war against terrorism. The biggest company that has the contracts, no-bid contracts, in Iraq is Halliburton, which was formerly headed by Vice President CHENEY. They set up a subsidiary, probably contrary to the laws of the United States, that does business in Iran and Iran exports terrorism around the world, probably into Iraq as well, for all I know.

To me, it is unimaginable to think that the United States taxpayer is paying this company Halliburton which has had all these abuses but the biggest abuse of all in my opinion is that they are getting around the law and making money in Iran, which in turn is exporting terrorism that could potentially be used against the United States.

I see my colleague from Washington State is here. I am pleased to see that he is joining with us tonight and would yield to him.

Mr. McDERMOTT. I appreciate this opportunity to come talk, because I think that we saw on Sunday that the campaign we are about to enter into is one in which, one of the themes of this administration is going to be integrity. Integrity is a very interesting thing for them to run on. As one of the earlier speakers said, it is a good thing the White House is not made out of glass, because they would be sitting in shattered glass all over the place by the time this campaign is over. The issue you started on, you stopped. You did not tell the whole story. "60 Minutes" said, okay, so there is nothing going on in the Cayman Islands. Where is this being run from? Then they get a letter from Halliburton that says, well, the Cayman Islands subsidiaries actually run out of Dubai. So they get on a plane, they fly to Dubai, and they learn that this office shares office space and phone and fax lines with a division of the U.S. parent company which raises all kinds of questions about how independent is that. You put that there with the statement that the Vice President made, "I have a firm policy that I wouldn't do anything in Iraq even in arrangements that were supposedly legal. We've not done any business in Iraq since the sanctions were imposed and I have a standing policy that I wouldn't do that."

That is a quote from 8/27/2000. This is while he is in the middle of the campaign. This is the man who wants to

run on his integrity. According to oil industry executives, this is from *The Washington Post*. That is a minor newspaper that has a little something to say about what is going on in this town. According to oil industry executives and confidential U.N. records, however, Halliburton held stakes in two firms that signed contracts to sell more than \$73 million in oil production equipment and spare parts in Iraq while CHENEY was chairman and the chief executive of the Dallas-based company. Two former senior executives say that, as far as they know, there is no policy against doing business with Iraq.

You tell me that a company that is running a billion dollar operation has people who are executives and do not know that there are sanctions on Iraq? How bald can you be in what you are willing to say, whether it has any connection to what the facts are or not? Those Halliburton subsidiaries joined dozens of American and foreign-owned supply companies that helped Iraq increase its crude oil exports from 4 billion in 1997 to 18 billion in 2000.

□ 1830

The Vice President made a flat statement, I have a firm policy I would not do anything in Iraq. Meanwhile his company is helping Iraq quadruple its export of oil. This is the man whose integrity really runs deep, and he says I have nothing to hide or anything, but when it comes to meetings that they had in the White House on developing an energy policy, closed meetings, only invited the industry in, and they are developing the energy policy for the United States of America, a country that is addicted to oil, and when the Congress says we would like to see what those papers are that you did in there, he says, oh, no, that is executive privilege, I cannot show you what we are doing.

They took us to war, at least in part, on the basis of oil and the United States wanting to control oil. All we have to do is look at the machinations of Unical bringing a pipeline down through Afghanistan and then putting Hamid Karzai as the President who was, imagine that, an old Unical guy. He made \$600,000 off Unical. And then we go over to Iraq and we see all the machinations there, and here is Halliburton in there, in the oil business, before the war started. And then we have the audacity to be told sitting in this room that there is an axis of evil out there, Iraq, Iran, and North Korea, and the very people sitting here have been doing business with Iraq and Iran.

Tell me about integrity. How are the American people going to believe any of that stuff? Still drawing pay from them, sitting in this room, occupying a seat of honor and importance, and doing business with the axis of evil. This is the man who says, I want to run on integrity.

And then just to complicate it further, the court case to try to get those

reports away from him goes up to the Supreme Court. So he calls up his friend over at the court, Justice Scalia, and says, hey, how would you like to go duck hunting? Come on over and get over on Air Force II, and we will fly down to Louisiana. I have got a place down there, and I will put you up for the weekend, and we can shoot ducks.

Now, how can anybody have any belief in integrity when people stand up there and say there is not an appearance of impropriety with the Vice President, with a case before the Supreme Court, taking one of the Justices down on a private hunting trip for the weekend? What do my colleagues think they talked about, ducks? Maybe. Maybe they talked about the New Orleans Saints, or Mardi Gras is coming. I am sure business never come up. They spent 3 or 4 days down there, and they never talked about any of the problems that the country faces. Can one imagine that, that the Vice President of the United States and one of the Justices on the Supreme Court would sit and talk about fluff for 4 days and never discuss how this man can have the gall to say I want to run on integrity when he makes these kinds of flat statements?

The whole career, the whole business of the issue, if we could ever get an investigation in the House into what went on in giving us the information about weapons of mass destruction, we will find his fingers all over it from trips he made out to Langley to the CIA, and then everybody stands around and says we were misled. We were given all this bad information. Come on, give me a break. You are big boys, and you cannot have it both ways. You cannot talk out of both sides of your mouth.

Ultimately the people will figure it out. Abraham Lincoln said, "You can fool some of the people all of the time and all of the people some of the time, but you cannot fool all of the people all of the time." The end is coming for this integrity of the oil destiny.

I yield back and thank the gentleman for giving me a chance to talk about the Vice President.

Mr. PALLONE. Mr. Speaker, I appreciate what the gentleman said. And sometimes I think that we forget that not only these abuses are going on, but the circumstances in which they are going on, and all this money is being wasted.

And there was an editorial in the *New York Times*, I guess, January 30, and I am not going to read it all, but just the end. The whole thing was about Halliburton and all their abuses, and they wanted to remind us, and I would like to remind us, just by quoting a couple of sentences, "The United States is at war. The government is running deficits. Money is tight everywhere. But Halliburton won't even kick in its fair share. It continues to benefit from the Nation's largesse, while scouring the world for places to shelter as much of its American riches as possible."

It is bad enough that they have a subsidiary that is doing business in Iran and that there are all these overcharges and abuses, but keep in mind that this is happening while we are at war, the government is running record deficits, and money is tight, and things that we really need to spend Federal dollars on cannot be provided for, and in the middle of this they are involved in all this abuse.

I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has been down here many times to address this same issue.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) for allowing me to share my thoughts on this.

I wanted to begin with something that may seem a little bit off point. I just returned from the White House meeting along with the Congressional Black Caucus that was kind enough to let me come along, in a meeting with Secretary of State Colin Powell and Condoleezza Rice and the President, and we were talking about the crisis in Haiti right now. And one of the reasons now given for our going to Iraq was to liberate Iraq, to bring democracy to Iraq. And we stand here right now at a moment when violence and thugs and M-16s are moving toward the palace of the democratically elected President of Haiti, Mr. Aristide, and there seems to be a reluctance for the United States now to get involved in saving a democracy.

Whatever one thinks of Mr. Aristide, some of us do not like some of the things the President does, or we are talking about the Vice President tonight, but we are going to wait until November, until there is another election. We are not even so sure about the last election. They talk about some irregularities in the Haitian election in 2000. We think there were some here, too, but we do not do anything. And I got to thinking that what if there was some oil in Haiti? Maybe there would be a little more interest on the part of the United States in really doing something.

Our hope is that the President understands, and I know he understands, but that in the light of there being an imminent bloodbath in Haiti, that the United States takes some action. It would be pretty ironic if we were trying to bring democracy to Iraq and yet we let democracy crumble in Haiti.

Let me get back to the point. I have been watching these ads on television that Halliburton has been putting on. They are pretty glossy ads, and they show soldiers, handsome young men and women, getting meals that Halliburton says that it is providing to our soldiers; and says that Halliburton has been doing all this great work, and I am sure that over the years they can proudly point to some of their accomplishments. But they are bragging about meals right now, and what we have found out now is that, yes, they provide meals, but they have also been

charging for three times as many meals as were actually served in a major Army facility in Kuwait, that American taxpayers are paying millions and millions of dollars to Halliburton for meals that simply never got served. Whoops, a little mistake. Or is it just a mistake?

Maybe the gentleman has referred to it already, and he can stop me if he has, but the gentleman from California (Mr. WAXMAN) has been doing a wonderful job in calling for investigations of these overspendings on behalf of the American taxpayers. We should not be paying 1 cent more than we need to be spending, particularly in a war that, in my view, we should not have been involved in in the first place. But there we are, and Halliburton is there, too.

So he, along with the distinguished gentleman from Michigan (Mr. DINGELL), sent a letter on February 12 to the Director of the Defense Contract Audit Agency asking them to look into some of the problems based on information that was provided to them by whistleblowers. It is not always so easy to be a whistleblower, to stand up and risk one's job and sometimes risk all kinds of retribution to tell what is really going on.

Halliburton deserves scrutiny. They were awarded in 2001 a global logistics contract worth about \$3.7 billion, 90 percent of this total value for work in Iraq, and here is what these whistleblowers are saying that Halliburton is doing: that they are engaging in these improper practices, telling employees that price does not matter. This is from the letter: "High-level Halliburton officials frequently told employees that the high prices charged by vendors were not a problem because the U.S. Government would reimburse Halliburton's costs and then pay Halliburton an additional fee. One whistleblower said that a Halliburton motto was 'Don't worry about price. It's cost-plus,'" which means they not only get their costs, but, on top of that, some profit. So do not worry about it.

"Wasteful spending: Ordinary vehicles were leased for \$7,500 a month. Higher prices than necessary were paid for furniture and cellular phone service. Poor quality mobile homes were purchased and accepted even though much better units were available. Under Halliburton's cost-plus contract, all of these wasteful expenditures were passed on to the taxpayer. The company even sought to order embroidered towels at a cost of \$7.50 each when ordinarily towels would have cost about one-third of the price."

Those of us who are involved in decorating our homes, maybe once in a while we are going to splurge on an embroidered towel. I do not think that we need to do that when we are trying to be cost-effective in a war in Iraq and have a little money left over to help some people at home.

"Avoiding competition among vendors: Halliburton's objective was to keep as many purchase orders as pos-

sible below \$2,500 in value . . ." Because they are being frugal? No. The letter goes on to say: ". . . so its buyers could avoid the requirement to solicit quotes from more than one vendor. Instead of having multiple vendors submit competitive quotes for needed materials and selecting the lowest quote, Halliburton frequently sought only one quote from a single vendor."

"Inviting unjustifiably high quotes: It was routine for Halliburton buyers to copy a requisition, hand it to a single Kuwaiti vendor, and tell the vendor to submit any quote below \$2,500 the next day. The focus was not on obtaining a reasonable price."

And there is a lot more in this letter, but in the summary here, it says, "Relying on an inadequate list of preferred vendors: Halliburton's supervisors provided buyers with a list of preferred Kuwaiti vendors. Many of the preferred firms were unreliable or charged 'outrageous' prices. Supervisors did not encourage buyers to identify alternative vendors and, in some cases, wanted to use a higher-priced vendor on the preferred list rather than a new, cheaper vendor."

"According to the whistleblowers, improved business practices would yield significant savings."

And they talk about "Mr. Bunting," one of the whistleblowers, "estimated that competition could reduce costs by up to 15 percent. The former procurement supervisor explained that when he obtained three quotes instead of just one, he typically saved up to 30 percent." So we are paying top dollar, unnecessarily high prices.

And just what is this company and its relationship to the Vice President? Because that is what we are talking about here today. The integrity of this administration is in question.

□ 1845

And when Mr. CHENEY says in 2000, July of 2000, before the election, said, "What I will have to do, assuming we are successful in the election, is divest myself, sell any remaining shares that I have in the company," the fact is a congressional report found that Mr. CHENEY still owns more than 433,000 Halliburton stock options, including 100,000 shares at \$54.50 per share, 33,333 shares at \$28.00, and 300,000 shares at \$39.50. That is from CNN in September of 2003.

Then he says in January of this year, "I severed my ties with Halliburton when I became a candidate for Vice President in August of 2000." I do not know what "severed" means. I clearly do not understand the meaning of the word "severed," because, to me, this is a pretty good and lucrative tie. "Along with 433,000 stock options," and this is a quote from CNN, "CHENEY still receives about \$150,000 a year" from Halliburton.

I would like people I may have severed ties from to have that kind of deal. Severed to me means no, I do not get any money, but that is clearly not

the definition of the word to Mr. CHENEY.

So I think, look, there are just so many questions here, and I do not know if this issue would even come up so much if we could count on this company spending taxpayer dollars in the way that they should be spent. But it is not one issue, it is not two issues, it is time after time after time. Every time the light is shined on what Halliburton has done, we find taxpayer dollars that are being wasted there. We cannot afford to do that. The Vice President of the United States should take some responsibility for that. It is a company he was CEO of. This is a company he continues to gain benefits from, and I think it really does raise a matter of where does the buck stop, where is the responsibility and the accountability, and, fundamentally, it raises questions of integrity, of ethics.

So I appreciate the gentleman letting me raise the issues.

Mr. PALLONE. Mr. Speaker, I appreciate the gentlewoman coming down tonight to talk about this. I know she has done it before. Particularly when she raises the issues of the ads Halliburton is running, I have seen some of them, but I forgot about the fact in the middle of all this, they are spending money to basically tell people how wonderful they are while an investigation is going on. The bottom line is the Pentagon now is actually finally conducting an investigation. What you and I have said is we should have hearings here in the Congress.

I go back again to that New York Times editorial that I mentioned before that says keep in mind that while Halliburton commits all these abuses, the United States is at war. I cannot imagine that if this was World War II or another major conflict, but I will use World War II as an example, it is what we call war profiteering, and anyone who was associated with that, we have seen the old movies where there is an old World War II movie where they picture the war profiteers. They are the enemies of the State. They are like no different in the public's mind than Nazi Germany or the countries that were fighting the United States, because they were making a profit at the expense of the taxpayers during a time of war.

So, given the fact that all this has been exposed, and we do not have to go through the facts again, but everyone in the kickbacks on the contract work, which Halliburton actually admitted, the overcharging for the meals, the fact that you have the subsidiary and the questionable aspect that was brought up in 60 Minutes, why in the world are the Republicans not having hearings, bringing out how the United States might be wasting billions of dollars in a time of war?

I do not even have to add the deficit and the spending that we might want to see on other things more important for the average citizen. Just the fact this is happening at a time of war and

this company may be making a profit on the war, it is just incredible to me.

All we are asking is that our Republican colleagues in control of the House have some sort of hearings and bring this up. That is all that you mentioned in the letter from our colleagues on our committee, the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. WAXMAN), want. That is all they are asking be done, and still the Republicans refuse to do it.

We are just going to come down here and continue to come down here until some effort is made by the majority party to have hearings and to have some accountability. We just cannot keep bleeding with all this money that is going into this company. It just does not make any sense.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BISHOP of Utah). The Chair would remind Members that it is not in order in debate to directly accuse the President or the Vice President of lacking integrity or of "speaking out of both sides of their mouth."

#### GREAT WORK BEING DONE BY 10TH MOUNTAIN DIVISION, FORT DRUM, NEW YORK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, we have certainly heard a lot of information here this evening. Of course, both sides in this House have not only the right, they have the obligation to speak out when they believe that things are not right. It is an election season, and we are hearing a lot of political discourse and rhetoric. We hear a lot of it from the Presidential campaign trail. While it is their right and while it is their obligation, we all know, we should know, that words have consequences, and the words spoken here in this House do resonate across the country.

I would never question anyone's motives or patriotism, but, at the same time, Mr. Speaker, I just cannot help but point out, last week I traveled to the countries of Iraq and Afghanistan, it was my second trip to Iraq, my first trip ever to the country of Afghanistan, and had a chance to see what was happening there on the ground.

Mr. Speaker, we hear about Afghanistan and Iraq and the capture of Saddam Hussein in December. In an effort, I guess, to minimize the importance of that, and let me say that was important and we are safer because that man is in custody, but in an effort to minimize the importance of that significant event, we heard rhetoric that, well, it does not really matter, because we should not have been in Iraq in the first place, we had not finished the job in Afghanistan.

Mr. Speaker, I want to take a minute tonight and talk about what I saw

going on in the country of Afghanistan, and I wanted to talk about the great work that is being done by the 10th Mountain Division out of Fort Drum, New York.

Mr. Speaker, General Austin in Afghanistan with the 10th Mountain Division spoke to us, and as part of his briefing he shared with us a picture, and the picture was so dramatic that I wanted to share it with this House, and, in fact, I wanted to share it with the country.

Mr. Speaker, this is a picture of what our guys in Afghanistan are doing to end the war on terror in that country, to reclaim that country for its people, and, in the end, to make us safer here at home.

Here you see some of our young soldiers. Here is a man, and I do not remember whether he was Taliban or al Qaeda, but he lived in a house on a steep mountainside. He thought he was relatively immune from prosecution in that perch because he could see anyone coming up the hillside to apprehend him. So he was sitting by his campfire one morning taking his morning meal, and this very large helicopter, half of it landed on his roof, and he was apprehended by our forces. You see him being loaded in the back of the helicopter to come and face whatever charges were brought against him.

Mr. Speaker, this is a dramatic, dramatic photo showing what lengths our fighting men and women will go to in order to end the conflict in Afghanistan, and I believe they are well on the way to ending that. In fact, Mr. Speaker, I would go so far as to say as soon as the snow melts out of the passes in those mountains on the border area between Afghanistan and Pakistan, we are very likely to see the very beginning of the end for those groups who mean to harm our troops and innocent Afghani citizens and those individuals who want to prevent the return of civil society to Afghanistan.

So, Mr. Speaker, I know it is a little bit off the point of what we have just been hearing, but, in fact, there are some good things going on in the world. Our troops are doing a masterful job on the ground, both in Iraq and Afghanistan. I am proud of them. I am proud of our country.

Just for the record, Mr. Speaker, I was over there, but I did not consume any meals, so we will not have to reimburse the people for those.

But, once again, I wanted to point out just the dramatic aspect of that photo. Think of the risk that pilot is taking in order to apprehend that individual and bring him to justice, the loadmaster in the back of that craft that essentially landed the helicopter on that man's roof. You can imagine the surprise of that individual as he was brought into United States custody.

#### IMPORTANCE OF SERVICE ECONOMY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. DREIER) is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I do not normally use this forum of Special Orders to address our colleagues, but tonight I want to spend some time talking about a very important issue. I want to talk about hamburger-flipping jobs. Actually, I want to talk about the claim made by some politicians and pundits that the American economy is turning into an economy of hamburger-flipping jobs.

Now, we all know that hamburger-flipping jobs is a buzzword. It is a phrase intended to sum up a lot of complex changes that are going on in the American economy. Obviously those changes are impacting jobs. They are impacting businesses, they are impacting families, and they are impacting communities. Talking about hamburger-flipping jobs is a way to say that our economy is in decline. It says we are losing, quote/unquote, good jobs, and in their place we are creating bad jobs, second-rate jobs, no-future jobs.

Sometimes the same people talk about dishwashing jobs, or janitor jobs, or retail jobs, especially at Wal-Mart or Target or K-Mart. People use buzzwords because they reduce complicated ideas to a simple digestible package, and in this case we are talking about a whole host of very complex economic trends.

It is no surprise that people turn to buzzwords. We no longer have to worry about viewers nodding off to sleep during long-winded speeches. They have 200 cable channels from which to choose, and obviously the unlimited Internet, so they can clearly move on for seconds.

But, Mr. Speaker, I hope that our colleagues will bear with me as I go through this, because I think it is absolutely critical to dispel the utterly ridiculous, factually inaccurate, completely fictitious assertion that the American economy is heading downhill and that we are replacing good jobs with hamburger-flipping jobs.

Exposing the charade of the hamburger-flipping jobs argument is absolutely critical, because these buzzwords are at the heart of a concerted attack on the fundamental basis, Mr. Speaker, of our economic strength, an attack on the fundamental basis of America's economic strength.

There are serious people who want to turn back the clock on our economy, threatening very real gains that have been made by millions and millions of American families.

Now, it is buzzword time again, Mr. Speaker. Talking about hamburger-flipping jobs is a way to demean our, quote/unquote, service economy. What do we mean by service economy? We do have an economy that is increasingly



based on services, that is true. That means jobs that serve people, serving people well, customers, clients, taxpayers, patients and students. This new service economy is, I believe, a good thing. But as I have said, this is a very complicated subject. It is big.

When we talk about the U.S. economy today, we are talking about an \$11 trillion economy, and that is just in 1 year, Mr. Speaker. The forces, changes, trends and technologies that are in play here are global, so the impact is even greater than our Nation's \$11 trillion economy, and the changes run deep. We need to look at changes that have impacted our country and our economy over the last century, and particularly over the last two decades, the last 20 years. These changes over the last two decades are key to this story.

The hamburger-flipping jobs argument is basically a way of saying that the changes in our economy mean things are getting worse or will get worse for most Americans. But in fact, Mr. Speaker, things are getting much better, and they promise to get even better for America in the future.

□ 1900

This is an economy that is increasingly based on skilled workers. We do have a more global economy with complex business, trade, transportation, communications, and cultural links. We have new technologies making their way into so many aspects of our lives, and mostly in ways that are very, very good. By and large, these forces are working together in ways that are making the American economy work better in 2004 than it did 2 decades ago back in 1984.

Now, I am using the term "economy" in the broadest sense, because each of these factors, services, skilled workers, globalization, trade, transportation, communications, and technology, is dramatically changing the way Americans do the things that make up our lives: work, shop, go to school, go to the doctor, be entertained, and have fun. In short, the people who claim that we are creating a hamburger-flipping jobs economy are asking us to turn back the clock on the past 20 years of change.

Now, every change has not been good, obviously, and even the good changes that we have undergone on an overall basis have not been good for everyone. But I think we are clearly on the path to a better future, and dramatic course changes at this point could be very, very bad; would, in fact, I believe, be very bad for Americans.

Now, Mr. Speaker, we have been talking about 20 years of change. I have not been talking about it just by accident. In fact, one of the reasons why I am here is that I believe we are now 20 years into a profound and dramatic period of economic change in America. One of the most striking things about the hamburger-flipping jobs buzzword is all the concepts it embodies. Those

concepts have been around for a long time. It is basically a political and economic urban myth listening to that term: hamburger-flipping jobs.

When I listen to different politicians talk about hamburger-flipping jobs and what they see as a declining economy, I swear that I have had a flashback to 1984. The spirit of the rhetoric, the basis of the ideas, the sense of foreboding, and being on the wrong economic track reminds me of Walter Mondale's run for President in 1984. Now, I have recently gotten my hands on his nomination speech before the Democratic Convention in that year.

It is a remarkable read, Mr. Speaker, and not because it stirs the soul. It is remarkable to see in such explicit detail the platform on which Mr. Mondale ran for President back in 1984. He said that taxes were too low, the deficit was going to destroy our economy, we needed to adopt a nuclear freeze and negotiate annually with the Soviet Union. These were the big issues of his campaign back in 1984; and as we all know, he was, thank God, trounced by Ronald Reagan. Walter Mondale did not actually use the term "hamburger-flipping jobs," but he said a few things that show that in 1984, the Democratic Party standard was firmly entrenched, deeply tied to that intellectual camp believing that hamburger-flipping jobs as a pejorative were the wave of the future.

Speaking of the Reagan administration, the candidate Walter Mondale said, "They crimped our future. They let us be routed in international competition, and now the help wanted ads are full of listings for executives and for dish washers, but not much in between." He did not quite say hamburger-flipping jobs, Mr. Speaker, but there it is, the claim that most of the jobs that were being created were for dish washers.

He went on to say, "When the American economy leads the world, jobs are here, the prosperity is here for our children. But that is not what is happening today. This is the worst trade year in American history. Three million of our best jobs have gone overseas."

Again, that is Walter Mondale talking in 1984 about where we stood. He said, "It has been devastating, the worst trade year in American history. Three million of our best jobs have gone overseas."

And as if Walter Mondale had a vision of 2004 and the fact that leading American companies are investing in facilities in places like China, India, Europe, and Mexico, creating new jobs in those new countries, Mondale said, "To big companies that send our jobs overseas, my message is, we need those jobs here at home, and our country won't help your business unless your business helps our country." That was Walter Mondale in 1984. Now, this certainly sounds a lot like the political rhetoric regarding Benedict Arnold CEOs that we hear today.

We also did some research, Mr. Speaker, to find the earliest reference that we could come up with to the term hamburger-flipping jobs, and lo and behold it was in 1984. We found an article in the New York Times that was basically about this very same issue: the concern that good American manufacturing jobs were disappearing, often moving overseas and being replaced by low-paying service jobs, the dreaded hamburger-flipping jobs. At this point, Mr. Speaker, I would include in the RECORD an article in the New York Times which I am going to talk about.

[From the New York Times, Sept. 4, 1984]

"HIGH TECH," NARRATED BY WALTER CRONKITE

(By Steven Greenhouse)

It is late afternoon at the Fanuc Limited factory at the foot of Mount Fuji in Japan, and not a worker is in sight—not a human one at least. The huge metallic arm of a robot swivels around and places a small mechanical part into the machine it is building. In this way, Fanuc's robot-filled, computer-controlled factory can run eight-hour shifts without anyone working inside.

That's the haunting opening scene from the probing hour-long CBS documentary, "High Tech: Dream or Nightmare?" which is to be aired tonight at 8. In narrating this timely documentary, Walter Cronkite makes clear that these 21st-century manufacturing techniques are a boon to productivity. With robots replacing people, there's little need to worry about absenteeism, alcoholism, strikes, shoddy workmanship or overtime pay.

However, Mr. Cronkite questions just how good this brave new manufacturing world is for the nation's workers. By forcing dozens of aging factories to be closed and thousands of workers to be thrown out of their jobs, robots and other high-tech production techniques have created what Mr. Cronkite called "the blue-collar blues." Indeed, one expert interviewed predicts that technological change alone will cause a shortfall of six million jobs for American workers by 1990.

The show addresses several of the key issues facing the United States as it embarks upon another industrial revolution: What is going to happen to the hundreds of thousands of workers whose jobs are taken away by machines? By destroying many high-paying factory jobs, are high-tech production techniques going to turn the United States into a nation of \$50,000-a-year systems managers and \$3.50-an-hour janitors and hamburger flippers? In other words, is high tech going to polarize the United States and cause its great middle class to disappear?

Mr. Cronkite also examines an important corollary economic question: How healthy is the nation's shift from a manufacturing economy to a service one? He asks whether this shift is going on faster than it naturally would—or should—as a result of imports from countries that heavily subsidize their industries or pay one-tenth the wages of what American companies pay. The cameras also look at the unevenness of the nation's recovery. Thriving Silicon Valley is contrasted with ailing Rust Bowl cities like Cleveland and Youngstown, Ohio, which one expert described as "Manufacturing Appalachias."

Mr. Cronkite interviews Lee A. Iacocca, Chrysler's dynamic chairman, who says the nation should be doing more to preserve its ailing manufacturing base. "You can't just have video arcades and drive-in banks and hamburger joints," Mr. Iacocca says.

None of the workers or economists interviewed takes a Luddite view suggesting that high tech be scrapped because it throws workers out of jobs. But they caution that unions may vigorously oppose the introduction of robots—Mr. Cronkite calls them “steel-collar workers”—if blue-collar workers are merely victims of high-tech, if they do not share in the benefits resulting from high-tech’s more efficient production techniques.

“I think the real issue is the social cost of the change—who pays for it, how it’s paid,” said Harley Shaiken, a technology expert at Massachusetts Institute of Technology.

Mr. Iacocca suggests that government, labor and management should undertake a massive retraining program to salvage the lives of 45-year-old workers laid off at Youngstown’s steel mills and Detroit’s assembly plants. Mr. Shaiken proposes government assistance to help the jobless move to areas where jobs are abundant. And Thomas R. Donahue, the secretary-treasurer of the A.F.L.-C.I.O., suggests a shorter work week to help spread the jobs that remain.

The documentary is more cerebral, more theoretical than most. It is long on interviews—most of them excellent—with experts such as economists, corporate executives and robotics pioneers. At the same time, the show is short on interviews with workers whose lives have been turned topsy-turvy by technology. One or two detailed interviews with these victims of technology would have made the show more compelling.

The documentary is at its most interesting when it shows how the antiseptic new high-tech factories operate. An enjoyable and informative takeoff on Chaplin’s “Modern Times” was a speeded-up sequence showing the construction of a jumbo jet in Boeing’s highly automated factory.

The camera work in that sequence and many others is superb. By zooming in on computer screens, for example, the photographer helps make some of these difficult new technologies comprehensible. In addition, the camera conveys the eerie, often alienating qualities of these technologies.

At the program’s conclusion, Mr. Cronkite asks what is going to happen to the workers of the 1990’s—that is to say, to children now in school. He wonders whether high tech will provide enough jobs to match what will presumably be their impressive skills and education. That, however, may be the stuff of another documentary.

Mr. Speaker, the article that I talk about is a news analysis of the probing hour-long PBS documentary that was entitled “High-Tech: Dream or Nightmare?” Again, this is back in 1984. It was an article about a television documentary by then the Nation’s leading TV personality, Walter Cronkite. Remember, this was 20 years ago, 1984, the very early days of cable, before satellite television. The networks were really king and spoke to a majority of the American people.

The New York Times describes the haunting opening scene of the documentary: a robot-filled, computer-controlled Japanese factory. No human workers in sight. The article reads, “Walter Cronkite makes clear that these 21st century manufacturing techniques are a boon to productivity.

“However, Mr. Cronkite questions just how good this brave new manufacturing world is for our Nation’s workers. By forcing dozens of aging factories to be closed and thousands of

workers to be thrown out of their jobs, robots and other high-tech production techniques have created what Mr. Cronkite called ‘the blue-collar blues.’ Indeed, one expert interviewed predicts that technological change alone will cause a shortfall of 6 million jobs for American workers by 1990.”

Again, this was a New York Times piece in 1984 giving an account of the Walter Cronkite documentary.

It goes on to ask, “What is going to happen to the hundreds of thousands of workers whose jobs are taken away by machines? By destroying many high-paying factory jobs, are high-tech production techniques going to turn the United States into a Nation of \$50,000-a-year systems managers and \$3.50 an hour janitors” and, yes, Mr. Speaker, “hamburger-flippers?” As I have said, hamburger-flippers is the buzzword for the very, very negative service economy, and we see it used that way back there in 1984.

I quote again, Mr. Speaker: “Mr. Cronkite also examines an important corollary economic question: How healthy is the Nation’s shift from a manufacturing economy to a service one?” Again, that is 1984, the New York Times reporting on the Walter Cronkite documentary.

Now, Mr. Speaker, Lee Iacocca, referred to in this article as Chrysler’s dynamic chairman, was always better at turning a phrase than most. He argued in the piece that the country needed to protect its manufacturing base saying, “You can’t just have video arcades and drive-in banks and hamburger joints.”

That kind of argument, Mr. Speaker, has a timeless feel to it. We heard a lot of it in 2003, and we will continue to hear a lot of it in 2004. It is just so amazing that we go back and hear the exact same thing having been said 20 years ago.

I believe that stepping back and looking at this issue over a longer time frame like this 20 years is actually very important for us to understand just how mistaken and how really dangerous the hamburger-flipping analysis that was offered in 1984 and is being offered in 2004 is, and that Cronkite documentary and the New York Times were right when they said massive changes were under way in America. The U.S. was entering a period of profound economic and technological change. To say it was the dawn of a new industrial revolution probably is not the best choice of words, because the fundamental change in the economy was the shift from the heavy industry-based economy of the middle 20th century to the more technologically and skill-based new economy of these past 20 years, from 1984 to 2004.

It is not easy to describe the new economy, Mr. Speaker; but some aspects are very clear. It used more communication technologies to connect people from all corners of the world. Information technology, digital technology, and the Internet exploded dur-

ing that 20-year period. It was faster. Business adopted just-in-time production schedules that relied on very precise planning and transportation models, and there was a lot of change. That was true for business, and it was true for people as well.

I want to focus on this last concept first, namely, change. The new economy, some call it the service economy, but I think a better name for it is the 21st century economy. It meant a lot of change, and change that has happened very quickly. To give an example, the pace of economic change in the past 20 years compared to the preceding era of economic stability, which I would say ended up in a period of stagnation; I looked at the list of companies in the Dow Jones industrial average. The Dow Jones has compiled an average of the stock prices of a select handful of the Nation’s leading businesses since 1884, and it is intended to reflect the market generally, the Dow 30. Now, from 1963 to 1983, the Dow Jones average included 30 companies. Over those 20 years, 26 of the 30 companies were the exact same. Only four dropped off and were replaced by new companies. Now, that is obviously stability that we saw from 1963 to 1983; and for the most part, during that period of time it was good, it was comfortable, and it was stable.

The 26 companies, Mr. Speaker, that stayed the same through the entire 20-year period are Allied Chemical, Aluminum Company of America, American Can, AT&T, American Tobacco, Bethlehem Steel, DuPont, Eastman Kodak, Exxon, General Electric, General Foods, General Motors, Goodyear, Inco, International Harvester, International Paper Company, Proctor and Gamble, Owens-Illinois Glass, Sears Roebuck, Standard Oil of California, Texaco, Union Carbide, United Technologies, U.S. Steel, Westinghouse, and Woolworth. Those were 26 of the 30 companies that remained constant during that 2-decade period from 1963 to 1983. Of course, by the mid 1970s, the economy was not performing well, to say the least. I will discuss that more later. But as I said, the line between comfortable stability and very uncomfortable stagnation can be quite thin.

Looking at the Dow Jones Industrial Average over the period of transition into this 21st century economy, that is, the past 20 years, shows a very, very different picture. From 1984 to 2004, there was a remarkable turnover of 16 new corporate faces among the 30 included in the Dow Jones Industrial Average, those 30 businesses. Today, the Dow Jones Industrial Average’s 30 includes the following companies: 3M, Alcoa, Altria Group, American Express, AT&T, Boeing, Caterpillar, Citigroup, CocaCola, DuPont, Eastman Kodak, Exxon, Mobile, General Electric, General Motors, Hewlett-Packard, Home Depot, Honeywell, Intel, IBM, International Paper, Johnson & Johnson, J.P. Morgan Chase, McDonald’s, Merck, Microsoft, Proctor and Gamble, SBC Communications, United Technologies, Wal-Mart, and Disney.

□ 1915

The new companies read like a Who's Who of the economy of today, including Boeing, Citigroup, Hewlett-Packard, Home Depot, Intel, Johnson and Johnson, JP Morgan, Microsoft, SBC, Wal-Mart and Disney.

This list may be the most succinct way to respond to the hamburger flipping jobs argument, Mr. Speaker. The new economy, the service economy, the 21st century economy, the changes in the American economy over the past 20 years have seen the rise of these new corporate giants and the industries and technologies they represent. They represent the revolution in computer software and hardware, the revolution in telecommunications, the revolution in global finance, the global entertainment business, the revolution in retail, distribution and supply management. They are now key faces in the American economy.

Those companies that survived, those that were there throughout the last 20 years, like AT&T, General Electric, General Motors, Eastman Kodak, Exxon, IBM and Proctor & Gamble, all adopted those same technologies and techniques to make themselves 21st century economy leaders. In other words, change swept through those companies even when the names stay the same.

Change is scary. I will acknowledge that, Mr. Speaker. It is scary for businesses, and businesses are not actually alive. Businesses are really just organizations of people, and we all know that change is scary for people. Change often leads to uncertainty and confusion, at least temporarily, and even when it is not affecting some directly, it does create anxiety. No doubt about it, the 21st century economy has brought change and anxiety.

Tracking the early history of the hamburger flipping job political urban myth, I came across another absolutely striking article from the New York Times. This article was just 2 years after the previous one that I mentioned. This one was written in 1986. In terms of our 20-year time frame, this was still basically the start of this process of moving towards the 21st century economy.

The article is entitled *The Average Guy Takes It on the Chin*. It is by Steven Greenhouse. He authored the article that I quoted from earlier about Walter Cronkite's documentary, and it is a rhetorical precursor to the message of the two Americas that we are hearing about today in this Presidential campaign.

This article from 1986 begins: "For millions of breadwinners, the American dream is becoming the impossible dream. Even the most basic tenet of the dream, that a young family will be more prosperous in its middle age, has grown more elusive. The statistics tell the harsh story of Americans struggling just to stay in place economically."

Obviously this was not a good news piece written back in 1986. It tells the

story, which was very real in that year, of the economic stagnation that struck this country in the 1970s, which culminated with the wrenching economic downturn that we saw in the early 1980s. Well, the economy began to grow in 1983. It was entering the period of profound change that I have talked about, and the eventual outcomes were not clear obviously at that point.

Frank S. Levy, a professor of public policy at the University of Maryland, is quoted as saying, "From the end of World War II to 1973, everybody was getting better off, but from 1973 through now," that was 1986, "that has stopped," he said.

The article goes on to say, "Economists generally agree that the only way workers can manage to make substantial strides in real earnings during the years ahead is through steady and strong productivity growth, which very few economists are predicting now."

And it says, "Many economists point out that other countries such as Japan and West Germany have achieved higher growth in productivity. Some even suggest that the United States may be starting to undergo the same wrenching economic decline that the British have experienced in recent decades."

Now, remember again, this was written in 1986, Mr. Speaker.

I mention that quote because at the beginning of this past 20 years, there was a very real concern, fear some would say, that foreign countries like Japan and West Germany were more productive and were more successful. They would dominate the 21st century economy. In fact, many here in this Congress at that time, I remember very vividly standing here listening to those who would argue that we had to model the U.S. economy after the economies of Japan and Germany, their industrial planning models.

Now, Mr. Speaker, of course, jobs are key, and the prospect that they will be scarce does breed anxiety. Again, this 1986 New York Times article goes on to say, "As young workers enter the job market, many can find only low-paid jobs in the service sector." It goes on to quote Sandra Shaber of Chase Econometrics who said, "For every 25-year-old I read about making \$300,000 on Wall Street, there are hundreds of 25-year-olds working as fast-food people or hospital orderlies earning \$3.50 an hour."

Now, there it is, Mr. Speaker, the vision of the service economy, meaning one well-paid Wall Street success story and hundreds of 25-year-olds working in fast-food chains and cleaning bedpans.

In my view, the New York Times article obviously failed in predicting the future, but it actually did an excellent job in summarizing the recent economic history up to that point back in 1986. The problem was slow productivity. They were right on target.

The article highlights, "When asked the reason for lagging income growth, economists speak with rare unanimity:

Slow productivity is Public Enemy No. 1," these economists said back in 1986. It goes on to quote Audrey Freeman, executive director of the Conference Board. She said, "In the long term, the only way to get wages to increase without inflation is to increase productivity, but we haven't been doing very well in that department." Again, that was said in 1986, portending the future.

The fundamental problem was productivity. They got that right, Mr. Speaker, but the economists in this article got just about everything else dead wrong. Here is what they had to say about the ongoing transition to more services in the economy. They said, "As the Nation's economy moves from manufacturing to services, the productivity problem compounds. It is generally easier to turn out more widgets per hour than to squeeze more hourly output from lawyers, travel agents or hamburger flippers."

Not to belabor the point, but I would quote again from the article, "The experts are not optimistic about the outlook for productivity growth. 'I really don't see productivity growth coming back to the 3 percent levels that we had in the 1950s,' said Douglas P. Handler, a productivity specialist with Wharton Econometrics.' And, 'There is very little on the horizon that would cause us to be optimistic about productivity improvements over the remainder of this decade.'" Again, this was written in 1986, 18 years ago at the beginning of this move that started 20 years ago towards this 21st century economy.

Finally, I cannot pass on the fact that the author goes out of his way to point out that the one group of people that is not able to see how bad things were in the American economy in 1986 were the American people.

In the face of all the economists in the article, the author notes, "Nevertheless, households are stubbornly refusing to change their spending habits. And spirits, despite the grim income statistics, remain high. According to the University of Michigan Survey Research Center, consumer confidence is far higher than it was during the recent times of double-digit inflation, interest rates and unemployment."

Well, Mr. Speaker, this article is a great example of the kind of anxiety about technology replacing jobs and service jobs being bad, foreign countries like Japan being better prepared for the economy of the future than America, and productivity being dead in the water with no hope in sight.

As I said, this article was from 1986, nearly 20 years ago, but if you listen to the political debate today in 2004, you hear many of the exact same themes: Technology threatens jobs, losing jobs to lower-cost foreign competitors. You can almost take every reference to Japan and simply change the country name to China, and you get a tangible sense that the future is not good.

I am not going to go chapter and verse through all the doom and gloom

predictions and warnings of those who think that America and its people are actually threatened by the 21st century economy. We do not have the time to do that, and it is obvious to those who have been listening to this national debate over the years, whether the issue was trade with Mexico, the creation of the global trade rules of the WTO, trade with China, or the recent bursting of the Internet bubble.

Instead, let us remember that 20 years is a pretty long time. Yes, we hear many of the same concerns in 2004 that were voiced in the late 1980s, but we can now judge how accurate, how sensible, how thoughtful those concerns were 20 years ago. In fact, I believe that we can look at how things played out over the past 20 years, the dire predictions and the reality, and learn a thing or two about how the similar line of thinking would impact our future going forward.

So did America turn into a Nation of a few \$50,000-a-year systems managers and an army of \$3.50-an-hour janitors and hamburger flippers, a handful of Wall Street wizards lording it over a middle America of fast-food servers and hospital orderlies? Did the American dream become the impossible dream? Remember, we are no longer in the world of economic or academic theory when we answer these questions. For a moment, we do not need projections from the Conference Board, Chase Econometrics or Wharton Econometrics. We have just lived these 20 years from 1984 to 2004.

Did the American dream die over the last 20 years? For nearly all Americans, nearly all Americans, the answer is a resounding no. Did Japan take over the global economy as was predicted? The answer, an obvious no. Did U.S. jobs decrease? Another obvious no.

Over those 20 years, over those 20 years the U.S. economy put 40 million people to work, and pay was up. Did incomes fall? No. Pay and real incomes increased. As I said earlier, the forces that ended up shaping our economy over those 20 years actually impacted just about every aspect of our lives, your lives, Mr. Speaker. A focus on better services, more skilled workers, more global integration, more international trade, better transportation, revolutions in communications and technology, they impacted every corner of life here in America.

So let us take a moment to take a broader look, step back and think about the big activities in our economy and in your life. Are you consuming more or less? For most people the answer is a lot more, and, remarkably, much of the stuff we buy is relatively less expensive and usually more technologically advanced than it was 20 years ago. Is your television set bigger? Almost certainly. Do you have more choice in what you watch? I am from Los Angeles, so I am biased about the quality, but say what you will about the products of the American entertainment industry, there are many,

many more choices available to viewers in 2004 than there were in 1984.

Do you have a computer in your home today, and did you back in 1984? Do you use the Internet? Do you communicate with friends and family over e-mail? Do you go on line to check the weather forecast or movie times, or shop for something that is hard to find, or hear about sales at your favorite stores? You did not do any of those things 20 years ago, Mr. Speaker.

□ 1930

Did you have a cell phone 20 years ago? Again, this is an easy one. You probably do today, and almost certainly did not 20 years ago. Many millions of Americans feel better because they have their cell phones with them and can contact family and friends in a pinch.

Do you travel more? Fly more? Are you driving a better car than you did in 1984? The answer to all of those questions is almost certainly yes, as automakers have stretched themselves to the brink putting new technologies into cars that get better mileage, break down less, are safer, are environmentally cleaner and are packed with technology. Think about the times you had to take your automobile back to the shop 20 years ago juxtaposed to today. The kind of technology that is packed into the cheapest car in 2004 was considered to be cutting-edge technology in 1984.

Has health care improved? Now, people are concerned about health care costs, obviously. And now is not the time to go into that debate. We talk about it regularly around here. But, clearly, since 1984, the number of new treatments and improvements in new technologies have been staggering. We can and will debate about how to pay for it all, but there is no denying that health care in America has taken a huge leap forward, and I am convinced that we are now on the brink of a new biotechnology revolution.

Is education improving? Again, education is never good enough, but we have made great strides in education since the middle 1980s.

We could go on all day thinking about how things have changed over the last 20 years, but it is clear they have changed a lot. The U.S. economy is turning out bigger, better, and more advanced products and services. There is no question that the doom and gloom predictions of 20 years ago proved to be way off the mark. Contrary to the Mondale prediction of 1984, the U.S. economy did not crash and burn.

So did the service sector slow U.S. productivity growth, as was outlined in that Steven Greenhouse article in the New York Times in 1986? The answer: a resounding no. Did most twenty-somethings end up working in fast food and other low-skilled jobs while a few made it big? The answer is no. Did computers and robots replace millions of workers and leave them unemployed or flipping

hamburgers? The answer is no. But that is actually a complicated issue that we need to get into in greater detail.

Now, Mr. Speaker, if we want to know the why behind the fact that 20 years ago there were predictions of doom and gloom and then those 20 years ended up resulting in such great strides, we need to look at the core economic question. That question is: Did American productivity go up? The answer is, yes, it went up dramatically.

In fact, productivity has been going up so rapidly, and we have all heard this recently, some people now think that the problem is not productivity; they think it is now a jobs problem. Remember that scary New York Times piece in 1986? "The Average Guy Takes It on the Chin," was the title of the article. Greenhouse and his gaggle of economists and productivity experts pointed out that increasing productivity was key to the future. They were right in 1986 when they said that productivity was key to the future. The thing they got wrong was their prediction of doom and gloom. They missed the productivity revolution that was emerging then and there right before their eyes.

They predicted the hamburger-flipping jobs future. In 1986, that was excusable, because predicting the future is tough. I know, because I am sorry to say I did not buy Microsoft, Intel, and Cisco stock back in the mid-1980s. But some people still serve up the same ideas that we heard in 1984. It is like they were locked in a time capsule for the past 2 decades and missed the massive economic changes that have occurred.

The fact is, Mr. Speaker, something happened to American businesses on the way to the hamburger-flipping future, or, more accurately, a number of things happened. As I mentioned earlier, American business underwent a revolution in computer software and hardware, a revolution in telecommunications, a revolution in banking and finance, a revolution in transportation and delivery, and a revolution in retail distribution and supply management.

We saw companies like Citigroup, Hewlett-Packard, Home Depot, Intel, Johnson & Johnson, JP Morgan Chase, Microsoft, SBC, Wal-Mart, and Disney become part of the corporate elite. Overnight and express delivery services exploded. The Internet became a place of business with eBay, Yahoo!, Amazon and Google getting started back then.

Just as important as those success stories is the fact that the revolutionary business practices and technologies infiltrated just about every level of American economic life. The corporate dynasties that survived the past 20 years, AT&T, GE, General Motors, Eastman Kodak, Exxon, IBM, and Procter and Gamble, remade themselves into 21st century economic leaders. American small business remade itself as well. Computers, cell phones,

paggers, credit cards and scanners are part of nearly every business in America today, even very small businesses.

Does your dry cleaner take credit cards? Does your auto mechanic have a diagnostic computer to check your car? The buzzwords for business and the economy of the last 20 years are concepts and strategies like supply chain management, just-in-time delivery, distribution centers, information management, customer relations, forecasting and planning. It is about adding value to the raw materials and basic goods.

To businesses, the result was a massive jump in their ability to serve their customers better. And I do not just mean customers like you and me, but business customers too. The ability to harness technologies that improved planning, customer service, and communications created jumps in productivity and efficiency. To customers, whether the customer is General Motors being served by a parts supplier or a family being served by Wal-Mart, the result has been greater choices and lower prices.

I am going to repeat something here: the ability to harness the new technologies, use technologies, those technologies created the increased productivity and efficiency. That is the key here, because machines do not harness technology, Mr. Speaker, people do. And that is why people, millions and millions of smart, skilled, hardworking Americans have been at the heart of the revolution of the 21st century economy.

Again, in our search for a suitable buzzword, the "services economy" really does not do it. It is a "business serving customers economy." Still not catchy, but business serving customers is really more accurate.

We do have a service economy. Providing a service of some kind to someone represents 65 percent of everything produced in America, and those services account for over 80 percent of U.S. jobs. The 20-year-old predictions that the service economy would be based on hamburger-flipping jobs or dish washers, lawn workers, and retail salespeople clearly missed the mark. We have lived through the 20 years creating this 21st century economy. We are in the Internet Age, the 500-channel, 50-inch-TV age, the prices-are-falling-at-Wal-Mart age. This is not the hamburger-flipping economy.

Mr. Speaker, jobs concern people. Mom and pop always want their kids to be able to get a decent job, if for no other reason so that they do not have to keep supporting them. That was at the heart of family anxiety in 1984 and 1986, and that will remain the biggest economic question in 2004 and 2006. And we lived through the Internet bubble in the late 1990s. We know that every boy and girl in America is not going to be a Silicon Valley multimillion dollar entrepreneur or biotechnology engineer. Mom and pop are practical enough to understand that. But that is

not the problem. The important question is what are the 21st century economy jobs going to be? What will Jimmy and Nicole be doing in 6 years? The fact is that they, like most American workers, will be in the business of serving someone tomorrow, next year, and in 2010.

Of course there will still be fast-food jobs, retail jobs, lawn care, janitorial, and house-cleaning jobs. There will be construction jobs. There always will be. And as the number of people in America grows, and we are approaching 300 million Americans in this great land of ours, the number of those jobs will grow. But our economy created 40 million new jobs over the past 20 years. Forty million jobs since the birth of the argument that the service economy meant nothing more than hamburger-flipping jobs.

So let us get down to brass tacks. What kinds of jobs are the American people doing in the 21st century economy? And I am going to go through this litany here, Mr. Speaker.

Network and communications administration, business administration and management, computer engineering technology, electronics engineering technology for all the machines that are not computers, health information technology, legal support, accounting, marketing, advertising, customer relations, news and information reporting, tax preparation and planning, highly specialized transportation and delivery, human resources support, pension and benefits management, purchasing and global sourcing, demand forecasting, inventory control, warehousing, and distribution.

Now, Mr. Speaker, these are not CEO jobs. They are not get-rich-quick jobs. But they are good jobs using very valuable skills. They are service jobs that are a part of just about every kind of business in America today. They are not Bill Gates, and they are not hamburger-flipping jobs.

Think about the big and growing sectors of our economy. Think about what you spend your money on, Mr. Speaker: health care; biotechnology and pharmaceuticals; elderly care; education; movies, entertainment and digital gaming; recreation; telecommunications, cable, satellite TV and radio, phones, cellular and wireless networks; fashion; insurance; real estate; autos, maintenance and repair; mass transit; investments, whether you call it the stock market, pensions, or securities. We all know that more than half the American people are members of the investment class, as many as six in 10. Government services, which is, as we all know, almost unimaginably big. Leisure, hospitality, and tourism.

Then there are the businesses that serve other businesses: engineering, environmental protection services and technologies, risk management, export and import financing, express delivery, high-tech manufacturing, and biomedical informatics.

Mr. Speaker, the 21st century economy, the business serving customers

economy, is based on all of these things. Not robots, robot technicians, and a bunch of fast-food workers and lawn workers. As we have made the transition of the past 20 years, more than half of all service jobs and a large majority of new service jobs paid above the average wage. And as I said earlier, low-paying hamburger-flipping, retail and janitorial jobs continue to grow as our population grows, but executive and professional jobs are growing much, much faster.

If the American economy of the past 20 years, this new 21st century economy that has revolutionized the way businesses serve their customers, is so great a success, why is any of this an issue? How can somebody in 2004 say that we are becoming an economy of hamburger-flipping jobs and not be ridiculed and laughed off the national stage?

A big part of the answer is that our economy has been undergoing a big long transition, which is the 20-year story, but we live day to day and year to year in an economy where things get better or worse. In economic terms, we have trends, which are the long-term big picture, and cycles, which are shorter term. The trends can last a couple of decades, even the better part of a century. The cycles are business cycles that last a couple of years or maybe one decade.

Most economists, or at least economic historians, would agree that our Nation's economic history has been dominated by the Industrial Revolution and the creation of the global industrial economy. We had a largely agrarian economy when our country was born. America then underwent a long transition, a transformation, really, to being the world's leading heavy industrial economy. That long economic transition took up the bulk of our Nation's history. It was well under way by the 1840s and probably climaxed in the 1960s.

Big historical trends rarely have bright-line starting and stopping points. Politics and history can work that way with elections, assassinations, wars and treaties providing clear historical dates to look back on. Economic change is different, Mr. Speaker. Even big dates, 1929 and the stock market crash or 1930 and the Smoot-Hawley Tariff Act, are really not that significant when looking at big trends. The big economic trends in the first part of our Nation's history was the transition from the agrarian economy to the industrial economy.

□ 1945

That was a transition that probably took 100 years. There was no single point where 1 day, or 1 year, America had an agrarian economy, and the next year it was industrialized. And single events were not that important. Instead, the spread of increasingly heavy machines, in early factories, railroads, and on farms, were key. And technologies always take time to go from

invention to standardization and widespread use.

Mr. Speaker, we are now clearly in the second transition. Heavy industry is no longer the king of the American economy. Instead, businesses, large and small, are harnessing technologies and skilled workers to create an economy based more on providing better service to customers than on the specific product itself. This has been going on for 20 years now. Twenty years happens to coincide with the birth of that political urban myth where everyone ends up with a hamburger flipping job. Over those 20 years, jobs are way up, incomes are way up, and technological improvements are spreading throughout our lives. Very few Americans would take the 1984 life-style outlook that they had over the 2004 life-style, but we have had business cycles over those 20 years as well.

We have had years of booming growth, we have had years of slow growth. We have had two actual recessions when the economy shrank. We have had lean times that did not fit the academic test of a recession, but certainly felt like a weak economy.

In the midst of any one of those lean times, the fact that the economic trend over the previous decade was very good really did not matter much. Things were worse than the year before or the year before that. In addition, during the first part of the current 20-year economic growth trend, time had not passed enough to tell the difference between a trend and a cycle. The start of a trend can look a lot like the upside of a cycle.

The economic slowdown that began in 2000, the final year of the Clinton administration, was clearly the downside of the cycle that began in 1992, the final year of the Presidency of George H.W. Bush. In the past 20 years, we had at least two cycles, one ending in a recession in 1991, and the other in a recession in 2001. We are almost certainly into a third cycle with growth again picking up.

The U.S. economy has been growing strongly for the past 2 years. It grew at a staggering 8.2 percent annual rate in the third quarter of last year, surpassing even the most optimistic projections and marking the strongest pace in nearly two decades, 20 years. Unemployment claims are dropping, and workers' wages and benefits have climbed in recent months. Family incomes are up. Consumer spending is up. Inflation is low. The housing sector has been very strong, and business productivity, as we all know, has been incredibly strong.

At this point in the business cycle, the big economic issue has been jobs. Remember, in the short term, we are coming off of some years like 1999 and 2000 where unemployment reached such low levels that most economists could not imagine numbers so low. In that context when the recession and slowdown in 2001 resulted in 6 percent unemployment, it created real concern,

especially among the recently unemployed, and that is understandable.

Politics reacts far more to the short-term cycle than the long-term trend, so it is easy to see why everyone is talking about the struggles of recent years rather than the incredibly good news of the last 20 years. But as we deal with the political realities of the short term, we must not lose sight of the big picture.

The hamburger flipping job argument is not just false, it is actually a dangerous thing. Twenty years ago this kind of rhetoric did not get the chance to hurt our economy because hard-working and innovative Americans kept right on forging new technologies, revolutionizing what businesses do and how they do it, and improving the way Americans go about living their lives.

But today, thanks to the short-term business cycle we are coming out of, the hamburger flipping argument resonates with a lot of people, and it is resulting in some very misguided and dangerous proposals. It is generating calls for protectionism, calls for policies that stifle the very environment that has allowed skilled American workers to harness new technologies and bring about our booming 21st century economy.

Mr. Speaker, attempts to undermine the principles that are the foundation of this economy threaten the progress and prosperity that has come about over these two decades. That is why debunking the hamburger flipping argument once and for all is not just critical to understanding the good news of the last 20 years, it is essential to ensuring that our future remains bright as well.

#### HAITI NEEDS OUR HELP

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 60 minutes.

#### GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland (Mr. CUMMINGS)?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, Haiti today is facing an economic, political and humanitarian crisis so severe that the United States Government and the United States Congress have no choice but to immediately act. Daily, Haitians are dying as a result of the violence. These deaths are intolerable, and the United States simply cannot sit back and watch a country in our own hemisphere spiral into chaos.

Our government has voiced concern that Haitians, desperate to escape the escalating violence and poverty, will

flood American shores. As a matter of fact, Mr. Speaker, just this evening there are reports that boats are coming towards the United States from Haiti filled with people fleeing literally for their lives.

We should be more concerned about the drastic conditions that led to the desperation and hopelessness of these Haitians refugees. The Congressional Black Caucus calls upon the President and the international community to work with the elected leadership in Haiti to bring about an end to the political turbulence and stop the attempted coup d'etat that is mounting in that country.

Mr. Speaker, let me be absolutely clear. It is imperative that the United States involve itself with an international force to create stability in Haiti before more lives are lost. We cannot afford to lose another day or another life due to our inaction. Because of the urgency of the Haitian crisis, my colleagues in the Congressional Black Caucus and I went to the White House and laid out our concerns today before President Bush. I must say, it was a good meeting with the President.

We explained to the President that we were tired of turning on our televisions every day and hearing about the slaughter of Haitian people. We explained to him that we believed with all the sincerity in our hearts that this was an urgent situation, and that the President of the United States was facing a very critical moment in his Presidency, and that he could do so much to turn this situation around.

We explained to him that there are so many people throughout the world who for various reasons had gotten or created within their minds a very negative view about the United States of America, but this was a time when he could act and turn some of those views around and show that not only was he a concerned President, but he was indeed a compassionate President.

So we had an opportunity, a rare opportunity I must admit, to meet with the President of the United States today, the Congressional Black Caucus did. Twenty Members were there, and we were very pleased to also have an opportunity at the same time to meet with Condoleezza Rice and Colin Powell.

Let me just pause here to say that we expressed to Colin Powell, the Secretary of State, our gratitude for all of the hard work he had been doing over the past several weeks. It was Colin Powell that stayed in contact with many Caucus members. It was Colin Powell that tried to find ways to diplomatically resolve this matter, and at the same time we felt that things had not moved to the degree that we wanted them to; and so, therefore, we had asked to meet with the President.

Now, when we met with the President today, when the Congressional Black Caucus met with the President, there were several things that we wanted him to do, and to his credit he gave the



utmost consideration to these things. Number one, we asked that he immediately make a statement to the world about his concern for the Haitian people, for his concern towards President Aristide, and his concern about this wonderful democracy that we have in Haiti that is under attack.

When I say wonderful democracy, Mr. Speaker, I do not mean to say that Haiti does not have its problems, it does. But our point was that there is a democracy in the sense that President Aristide was duly elected, and just as we have gone around the world to protect democracies wherever we felt the need to do so, it was our belief that because he was elected, no matter what one's views might be towards the way he governs his country, that the United States should make sure that this democracy, which is only 650 miles from our shore, should be sustained.

□ 2000

So basically we were asking him for three things and our goals were very simple. One, we wanted to make sure that there would be a laying down of weapons so that we might find some peace. As you know, Mr. Speaker, the rebels have all kinds of ammunition and all kinds of weapons. We realize that in order for us to move to any kind of resolution, one of the first things that has to happen, there has to be a laying down of arms. Number two, we said that we wanted the rule of law to be restored. The rule of law, of course, is very important. It is almost impossible to have any kind of peace when people are in chaos and they are not obeying the rule of law. We can see that very clearly just here recently as we looked at our televisions and saw the looting that was taking place and we saw some of the human harm that had been taking place. Clearly, a major problem with the rule of law. And, number three, we asked the President to make sure that there was some diplomatic resolution with regard to Haiti.

As we went into more detail, we asked the President to make a statement as soon as possible, and he said he would, making it clear that the United States stands for this democracy and that we have a major concern about the fact that so many people are being harmed and that it was our hope that a peaceful resolution would come to that land. Number two, we also asked the President to create a humanitarian corridor. He expressed great interest in this. What we mean by a humanitarian corridor, Mr. Speaker, is create a way by which humanitarian assistance such as food and medicine and water, because one of the major problems in Haiti right now is that there is insufficient water and food for so many, and these are the people that we do not hear so much about. These are the people who are suffering and dying, but the fact is that all we hear is about the rebels and the harm that they have done.

So the number two thing that we asked for was this humanitarian corridor; and we asked that the President, if he deemed it appropriate, and we think that it is almost necessary, to send troops in and work with our allies to make sure that organizations like the Red Cross and others have a way to get that humanitarian aid to the people that need it and so that they would be protected. The President said that he would indeed consider this.

Finally, Mr. Speaker, we asked him to consider sending in from 300 to 400 troops to maintain the peace. As we keep up with the news with regard to Haiti, it is clear that there is a steady march by the rebels towards Port-au-Prince. As you know, Mr. Speaker, that is the capital of Haiti. That is where President Aristide lives, and we were concerned that if President Aristide, if the rebels come into Port-au-Prince, that the death of President Aristide would be imminent. I think the President understood that, that is, President Bush understood that. He understands clearly that we are dealing with an urgent situation, and he said that he would take that into consideration and would get back to us as soon as possible.

So we have faith that the President will do the right thing. We have faith that, as he looked into our eyes and we looked into his, he understood that this was not about politics, but this was about life. He understood, we do believe, that this was not about simply trying to save a President, but it was about saving the President of Haiti and also making sure that we save many, many lives. I think that as he looked into our eyes, he could see the sincerity and could see that we realize clearly that if we did not take action and that he did not take action, that the blood of the people of Haiti would be on all of our hands. And so we had a very good meeting, but it is only a beginning. We have vowed to try to work with the President, with Secretary Powell, and Condoleezza Rice to make sure that a peaceful resolution comes to Haiti as soon as possible.

Mr. Speaker, so often as we look around the world and look at the difficult problems that face so many people and countries across the world, it must be difficult at times to try to figure out for a President and for his advisers as to where you intervene and where you do not. But one thing has been clear with regard to United States policy and that is that we have consistently done everything in our power to hold up democracies that are in trouble.

Clearly, the democracy in Haiti is in trouble. And so the President has made it clear that he will issue a statement sometime this evening, and we look forward to that statement. He assured us that he would address the issues after consulting with Ms. Rice and Secretary Powell, would address the issues with regard to the humanitarian corridor and with regard to sending troops

in to quell the violence and make sure that there was a diplomatic resolution taking place.

And so it was a very proud moment for the Congressional Black Caucus. It was a moment that shall definitely live in the DNA of our brains forever. Because one of the things that I guess hit me as we were sitting there is that 100 years ago, none of us were here. One hundred years from now none of us will be here. The question is what do we do now for our fellow human beings? And although they may be 700 miles from our shore and although we may not feel a relationship with them, not all Americans may feel a relationship with them, the fact is that they are our brothers and they are our sisters. I am always reminded in these situations, Mr. Speaker, of the song that says:

No man is an island  
No man stands alone.  
Each man's joy is joy to me  
And each man's grief is my own.  
We need one another, so I will defend  
Each man as my brother and each man as my friend.

And so the Congressional Black Caucus has decided to stand, to stand for people who are going through great difficulties, to stand for children who as we speak find themselves in boats heading for a land of opportunity. Stand. We decided to stand for a President that finds himself in great difficulty. Stand. We decided to stand for democracy, democracy that this country hails as being one of the greatest forms of government that ever existed. We continue to stand.

With that, Mr. Speaker, I would like to yield now to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. I am glad to be here to not only address the House but also the American people. I think what is so very, very important and proud to be a Member of the U.S. Congress on this day, of making sure that we do the right thing under the circumstances. Right now, Mr. Speaker, we have not only one but two carriers with Haitians that are being interdicted by the U.S. Coast Guard right now. I do not think that there needs to be a mountain of evidence to even show that there are individuals in Haiti that are being persecuted as we speak, that are losing their lives, that are being beaten for either being for the pro-government or anti-government forces that are there. And then you have innocent individuals that are in the middle of all of this gunfire and violence that is taking place, children, women, people, young men, older men that are there just trying to be citizens of a country. A democracy as shaky as it may be, it is still a democracy.

We recently met with the President, just today, and I am glad that members of this caucus and Members of this United States Congress shared with the President the importance, the fact that we are America and that we wear the breastplate of righteousness as it relates to standing and fighting for democracies. If we support or we are



against President Aristide, that is not the issue here. The issue is that a democracy is being overthrown by a gun as we stand idly by and make tough talk about Haitians leaving Haiti. To not do anything about the killing and the fighting that is going on right now in Haiti and in the same breath say Haitians stay in Haiti, don't take to the sea, it does not work toward logic to a diplomatic solution or a political solution of what is taking place now in Haiti.

I have said it before, and I will say it again tonight, our policy should not be driven on how many Haitians are face down in Haiti on the ground or are floating face down in the waters around Haiti and the United States. I will tell you that it is not healthy for our hemisphere; it is not healthy for our policy of making sure that we put forth democracies in the Caribbean and in this hemisphere, and it works against logic. So I urge the President, though we urged him earlier today, let individuals that are carrying guns know in Haiti, as they are getting more and more equipped as the hours go by.

Just a week and a half ago, there were 1960-style rifles that these rebels, thugs, whatever we want to call them or they identify themselves as, 1960-style rifles that can shoot maybe three or four bullets. Now they are almost up to par with U.S. troops. They are wearing full body armor, armored helmets, AR-15s, M-16s, American made, I must add, carrying a magazine of bullets of 40 to 50 rounds, banana clips, radio capabilities; and they are holding press conferences. If we expect for the people of Haiti, a human being, to keep their family in that kind of environment, thinking that they are just going to suck it up and take the bullets, then we are in for a rude awakening.

I want to talk about U.S. taxpayers. If we play defense of having our Coast Guard out there waiting in a 5-mile radius from each other, planes flying over to detect boats and things of that nature, all those resources focused on Haiti, what is happening to some of the other countries where we know we have a footprint of terrorism in the Caribbean? It is not Haiti, but I think it is important that we understand that and take that under heavy consideration.

I know that the American people are compassionate people. And if we are in Iraq justifying our presence of being there, of saying that we stand for democracy and we stand for the lives of the Iraqi people, then definitely 650 miles off the coast of the continental United States, we should stand for a democracy if we had an international force there to be able to stop the violence and start diplomatic talks.

I want to thank the gentleman for allowing me to address the House tonight. I know that we have to continue to follow this situation, but I would also like to add before I close that the Haitians that are on boats now, we

have to remember international law and our own laws, if they can prove persecution, if they fear persecution, if returning back to Haiti, what the President said earlier today cannot stand. It is almost like we are sending them back to be murdered. So it is important that we set up the opportunity for them to receive the due process that they deserve. If we agree or not with illegal immigration, it is important that we ask other countries to do the same, that we do things by the book and by the law.

Mr. CUMMINGS. I want to thank the gentleman for his statement.

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Question: I know the gentleman has been very concerned about this issue because one of the reasons I know he has an extraordinary sensitivity, as there are many Haitians that live in his district. Is that right?

Mr. MEEK of Florida. That is correct; and, Mr. Speaker, it is the highest concentration of Haitians in the United States. And I will tell the gentleman this: the Haitian people have been so involved in this country's history. They fought with us for our independence, and they are major, major contributors to not only our economy. We have a positive trade relationship with Haiti, and they create many U.S. jobs. Because of that positive relationship that is very important, Mr. Speaker, whichever side that people may fall on this issue, we cannot allow democracies to be taken over by gun and violence, and that is the bottom line.

Mr. CUMMINGS. Mr. Speaker, not only are the Haitian people going through what they are going to in Haiti, but one of the things I think a lot of people do not realize is that some 75 to 80 percent of people in Haiti live in pure poverty, and I know that when one combines the need for humanitarian assistance such as clean water with the violence, it has got to be painful just as it is painful to us. I would imagine for many of the gentleman's constituents, it is very painful, too, knowing that they have relatives that are going through all that, and then the violence makes it even more difficult for them to live any semblance of a normal life and definitely almost precludes any kind of assistance for going in; and I think that is one of the reasons why we talked today with the President about this humanitarian corridor.

Mr. MEEK of Florida. Mr. Speaker, that is 110 percent right. We have to look at the stage the way it is set. I think it is important for us to understand the U.S. has asked U.S. citizens and mission workers to leave Haiti for their own safety. The French have advised their own citizens, which is justified. Canadians have done the same and other representatives from other countries that are there.

There are a number of U.S. citizens still in Haiti. That is still something for us to take into account. Because 97

percent of social services in Haiti, including schools and educating the children, are by missions. They are privatized. I mean, it is not like the government has the ability to be able to put forth an education system. So when that breaks down, that means that the elderly are not receiving the care that they have received before in the past. Children are not receiving the kind of care that they need, prenatal care for women that are pregnant, some of the very things that are there. The AIDS and HIV work that this country is invested in, should invest more but has invested in, is all going to go for naught and having to rebuild all of that if we do not stop the violence.

We have people that are pro-Aristide and that are against Aristide; but one thing they have in common, Mr. Speaker, is that we must, yesterday, stop the violence. They know that has to happen. And unless we stop that from happening, we are not going to be able to come up with a diplomatic or political solution to this situation.

So, Mr. Speaker, I think that Members of this Congress should continue to press on, and I am glad that we met with the President and Secretary Powell and also Dr. Rice, National Security Adviser; and the President's Chief of Staff, Mr. Andy Card. We have taken it to the highest levels that it can be taken to in this country and in the international community. Very little has to be done by us to prevent drowning of Haitians and Haitians face down in the streets of Haiti and very little, very little of a presence and leadership.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman and the gentlewoman from California (Ms. LEE), who will be coming up next, for being a part of that meeting today because it was indeed a very historic meeting. So while there is very little to be done, it must be done immediately.

Mr. MEEK of Florida. Yes, sir.

Mr. CUMMINGS. Because the longer we wait, the worse it gets. And so I really appreciate the gentleman's participation in the meeting today with the President.

Mr. MEEK of Florida. Mr. Speaker, I thank the chairman.

Mr. CUMMINGS. Mr. Speaker, I yield to the distinguished gentlewoman from Northern California (Ms. LEE).

Ms. LEE. Mr. Speaker, first let me thank our chairman of the Congressional Black Caucus once again for his leadership not only in unifying the Congressional Black Caucus around such an important issue but also in terms of insisting that we move forward not only in terms of our position but in terms of trying to make sure that we are actively involved in trying to help save lives, and that is really what we are doing. So I thank the chairman very much for his leadership.

This has been, as it relates to Haiti, in some respects a very sad time for many of us. Just last night we were here again talking about the fact that

we wanted our government to actively engage in attempting to forge a cease-fire, to insist that the rule of law be adhered to, and to insist that the Haitian constitution be complied with. We were told again last evening at about 5 o'clock that we needed another extension, that the opposition was not going to comply with any political agreement. And here we are again tonight. Still the opposition has not agreed to a political settlement. More lives are being lost. The thugs are moving into Port-au-Prince. And at least tonight, however, under our chairman's leadership, we have had a chance to talk to the President directly and to Dr. Rice and to Secretary Powell to convey our sense of urgency, which I hope they understood and felt during our meeting. Because we are witnessing right next door the world's oldest black nation deteriorate. We are witnessing right next door in our own hemisphere thugs carrying M-16s and M-50s, weapons, I understand, that probably are made in the United States of America. Where they are getting these weapons from, who knows. Here we are witnessing once again tonight, as we felt last night and witnessed last night, the lack of action by our government to stop and to prevent a violent overthrow, a violent coup d'etat of a duly-elected, democratically elected President. We would not tolerate that anywhere else in the world. We just would not tolerate it.

So today I believe our meeting put forth the Congressional Black Caucus's sense of urgency to the President, and also I believe, Mr. Speaker, what it did was convey to him that we understand that saving lives and not allowing a violent overthrow of a government that is duly elected is not a Democratic issue, and it is not a Republican issue, but this is a bipartisan issue. It should be nonpartisan. It should be nonpartisan. We are talking about saving lives and preventing bloodshed, preventing a possible civil war from erupting. This is serious business, and there is no way we should sleep, really, and I am very glad that my colleague, the gentleman from Michigan (Mr. CONYERS), has called for a Haiti watch, 24 hours. As co-chair with the gentleman from Michigan (Mr. CONYERS) of the Haiti task force, I cannot think of anything that is more important right now.

We have written to the President. We have communicated with Secretary Powell. Not just this week, but the Congressional Black Caucus has been sounding the alarm for months really with regard to this unfortunate moment with which we are faced. And so now is the time that our great country can step up to the plate and can say to both sides that peace is the only option. There are no other options. Again, as I said earlier, how does one negotiate a political settlement with thugs carrying M-16s and M-50s? So we do not need any more extensions with regard to the political settlement that

President Aristide has embraced, that CARICOM has embraced, that the international community has embraced. I mean, this is useless at this point.

Tomorrow, I understand, the Security Council will meet. They may consider a resolution calling for international security forces; and if that happens, I sure hope that our government does not block that. In fact, I wish and I hope that we support that effort. But minimally we should allow the world community to come together to say no to this violence and insist on a cease-fire and insist on upholding a democratically elected government.

Eight million Haitian lives are at stake, Mr. Speaker. There is no way that any of us should allow any of these people to die on our watch, on our watch. History will record whether or not we just stood there and said, so be it. We did not especially like this policy of the Aristide government or that policy and hands off at this point. History is going to record if we took that position and did nothing that the lives of these 8 million people are in our hands and the blood will be on our hands if, in fact, the bloodbath occurs, which is what we tonight are trying to prevent.

So let me just say to the Speaker, to the chairman, that I think the President, and I know Secretary Powell and Dr. Rice, got it. I know they got it. But what is important is what are they going to do with what they got. They cannot just say we abhor the violence and it is bad and it is wrong for folks to kill each other. We are the most powerful country in the world. So the question is, what are they going to do tonight? What are they going to do?

So I want to thank again the Congressional Black Caucus for stepping up to the plate. Hopefully, the rest of the House of Representatives at least will step up to the plate tomorrow and join us in our efforts. I think we need to make sure that every Republican and every Democrat in this House stands for democracy in our own hemisphere, stands for an end to the violence, and stands for United States support for a cease-fire and an end to this carnage that is taking place in Haiti.

I thank the chairman for his leadership, and let us hope that we are waking up America.

Mr. Speaker, I rise tonight to call on the Bush administration to lead the international community in supporting efforts to pass a U.N. Security Council resolution, provide international forces, and do everything possible to prevent violence and save Haitian lives.

At any moment, the democratically elected President of Haiti could be overthrown any minute and at risk is the safety of over 8 million lives in Haiti.

Time is of the essence, and the Bush administration has failed to adequately address the dire need for a solution.

Far too many lives have been lost, too many children have been orphaned and fear has begun to set in.

Nevertheless, our administration has minimized their involvement to diplomacy—which to date has been inadequate.

The Bush administration has done nothing to help Haiti since coming into office except embargo economic, social, and most importantly now political assistance to Haiti.

Even if we look directly at the support the administration has given since January, I believe they have done nothing to save one Haitian life.

The administration was well aware of the political stalemate facing the country and the need for elections, yet they did nothing to bring the opposition to the table and on January 12, the term of the 47th legislature came to a close with the departure of 83 Deputies and 4 senators left.

Later that week, on January 15, the CARICOM community came out and said, "We are all committed to free and fair elections, dedicating resources from our respective countries, with the help of other countries in the hemisphere, to create a framework from which we are able to guarantee free and fair elections."

CARICOM held talks on Haiti in an effort to end the political impasse and unrest and developed the CARICOM proposal that we are still asking the opposition to accept an agreement which was endorsed by the president over a month ago.

The administration still bided its time, and allowed the opposition to impede the democratic process.

The administration allowed the Organization of American States to do its diplomatic duties toward Haiti, and the OAS convened an emergency meeting to discuss Haiti. OAS endorses the CARICOM proposal, condemns the escalating violence in Haiti, and adopts Resolution 861.

After allowing even more time to pass, the Bush administration finally felt pressure from the international community and this Congress to act.

A team of international diplomats from the United States, Canada, France, CARICOM, and the OAS traveled to Haiti on February 21 in an attempt to broker the same peace plan that the opposition parties had rejected over a month ago.

Why was it a surprise that they would reject is again on February 23.

Why did our administration allow the opposition another 24 hours to say no—again?

Many have speculated that the additional 24 hours to accept the CARICOM plan was necessary because the opposition was in a position to accept it, but the ultimate outcome was: More violence, more lives lost, more cities burned, and more fear spread throughout the country.

President Aristide accepts the peace plan and opposition are given until February 23 to accept or reject it.

Any legitimacy that the opposition had is gone.

They have repeatedly refused to support the democratic process by continually rejecting any offer to resolve the conflict peacefully.

Now is the time to move toward averting a disaster and stop the violence by pushing our administration to lead the international community in protecting the duly elected President, the people of Haiti, and upholding the Haitian Constitution.

If we allow this coup to occur, we will be responsible for the deaths of thousands because

we sat on our hands and refused to bring light on the real criminals, killers, and antidemocracy forces involved in this coup d'etat.

We, the members of the Congressional Black Caucus, friends of Haiti, and supporters of democracy will not allow the current crisis in Haiti to be ignored.

We marched up to the White House today, and refused to leave until our urgent message was heard.

We met with Secretary Powell, Dr. Rice and ultimately President Bush.

We told them that the time is now to enforce a cease fire, laying down arms, honoring the rule of law, and honoring the Haitian Constitution.

Bush must show some leadership and speak out against the violence and disregard for the rule of law in Haiti.

President Bush should speak out in support of the democratically elected President of Haiti and provide President Aristide the assistance he needs to promote peace on the ground, allow free and fair elections to take place, and uphold the Haitian Constitution.

Democracy in Haiti is in grave danger. Turmoil rages on the ground, in the streets, at the university, through the halls of the government, and in the homes of Haitians.

Haitians are dying, and it is apparent that the hope for peace is diminishing.

If we believe in the power of democracy and the potential for global peace we must not turn a blind eye to our neighbor and long-time ally.

The United States must stop dragging its feet, lead the charge at the United Nations' Security Council meeting tomorrow, and answer the call for assistance from President Aristide.

The United States of America cannot give more time for more people to get killed.

Haiti, our neighbor and a sovereign democracy, has stood by us through thick and thin.

Haiti remains the world's oldest independent Black nation.

We must work with our neighbor, to secure peace in our region, and uplift Haiti's proud history.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentlewoman for her statement. And as she was speaking, I could not help but think about the book entitled "Seize the Time." And that is what this is all about, seizing this moment and doing what needs to be done to save a lot of lives. So I really do appreciate what she has done. I thank her for being at the meeting today too.

Ms. LEE. I thank the gentleman from Maryland (Mr. CUMMINGS). We must seize the time. We cannot wait any longer.

Mr. CUMMINGS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. CONYERS), the dean of the Congressional Black Caucus and one who has been very strongly involved in this issue.

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Maryland (Mr. CUMMINGS). I am delighted to participate in this Special Order. And we have all agreed that the original objective of this was to discuss black history, and that has been postponed until next week; and it will be given thorough consideration here.

What we are talking about tonight is world history, and the events that I just want to comment on turn around the meeting with Senator DODD last evening, with Senator DEWINE, the gentleman from Florida (Mr. MEEK), the gentlewoman from Florida (Ms. CORRINE BROWN), the Canadian ambassador, and the French ambassador. The French ambassador to the U.S., the Canadian ambassador to the U.S. And what we were talking about there was the importance of getting our international bodies committed, CARICOM, the Organization of American States, the Security Council and the United Nations and how that could be gone about.

□ 2030

I was encouraged by the positions taken by both ambassadors, particularly the French Ambassador. Our colleague, the gentlewoman from California (Ms. WATERS), points out that in South Africa there is a readiness to intervene. It was a very positive meeting.

Today we had nearly two dozen Members of Congress, including the Chairman of the Congressional Black Caucus, the gentleman from New York (Mr. RANGEL), the gentlewoman from California (Ms. WATERS), the gentlewoman from California (Ms. LEE), the gentleman from North Carolina (Mr. WATT), the gentleman from New York (Mr. OWENS), the gentleman from New Jersey (Mr. PAYNE), the gentleman from New York (Mr. MEEKS), the gentleman from Florida (Mr. MEEK), the gentlewoman from Florida (Ms. CORRINE BROWN), at least a couple gentlewomen from California, maybe all three, and the gentlewoman from the Virgin Islands were with us.

Now, we asked to see the President. We were greeted by the Secretary of State, Colin Powell, and the Chief Security Adviser, Dr. Condoleezza Rice, and Mr. Andy Card, and we had a very intense, frank exchange that led to the reconsideration of whether we were going to meet with the President of the United States.

I suppose in the course of history it may not be considered important that there was a reconsideration that led us to meet with the President of the United States, and it was on the basis of our collective arguments to the two Cabinet members that we were at a precipice, that this was so immediate that continued political negotiations were really not appropriate. After all, many parts of the north have been taken by rebels, drug lords, gangsters, ne'er-do-wells and a legitimate political opposition. The second largest city in Haiti has already been captured.

Yesterday, at 5 o'clock p.m., the final offer that Secretary of State Powell had worked so hard on was rejected. It is not hard to interpret from that that the decision had been made to move forward and to take over the country; that they did not want to negotiate, even though President Aristide had quickly agreed to every condition in

the proposal that was being brokered by the Secretary of State.

So the question that remains now is what are the steps that we ought to take, and we expect to hear from the President to speak about our opposition to any violent overthrow of any nation in the Western Hemisphere less than an hour away from our shores. So this is quite important.

I should mention that our colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY), was with us, and she was with us at the press conference earlier, and that our colleague the gentlewoman from Texas (Ms. JACKSON-LEE), was likewise at both events.

Now, there are several ways that we can approach this matter. One is to assume that we can still negotiate politically toward a settlement, which some had argued was a precondition to us sending in support. The only problem with that is that if the rebels and the assorted groups that are demanding now to oust the President with no agreement whatsoever, that there would be nobody left for us to negotiate with if that were to occur. In addition, the country would be in ruin.

Furthermore, it is not hard to perceive that if there was an outbreak of violence between these two groups, Lavalas and the citizens loyal to their government and those who want Aristide's ouster, that it would be the largest bloodbath in recent Haitian history, and that it could result in the assassination of the President of Haiti.

It was out of that concern that we wanted to make sure that we insulate the Government of Haiti, as well as the President. That was based on the simple premise that if we cannot protect the head of the government, then we cannot protect any of the other 8 million people there. So it was important that we have this meeting.

Now, I want to take this moment to praise the President of the United States for agreeing to see us and agreeing to consider the proposal laid out by the Chairman of the Congressional Black Caucus and others that were present. This constitutes a reconsideration of immense proportions, because I do not think that the President has been looking at this from the point of view of the members of the caucus and our contacts in Haiti.

We do have a member of the caucus that has personally visited this country on three occasions. It now turns out, thanks to a Senator in the other body, that a plane will be provided for us to make sure everyone in the Caribbean, that all the millions of occupants and citizens of this independent nation struggling economically and socially to survive will know that the Congressional Black Caucus, 39 men and women strong, are completely behind the order and the legal process that requires that under no circumstance can violence be used to resolve internal political differences, not just in the Western Hemisphere, but anywhere in the world, for that matter.

That is what we stand for. That is why we helped create the United Nations. That is why we have worked on issue after issue on the planet, whether it be in Eastern Europe, the Middle East or anywhere else.

So I join proudly the members of the caucus, who comforted themselves extremely properly. They were duly aware of the circumstances between the Congress and the White House, and I think this was, as the gentleman from Maryland (Chairman CUMMINGS) has said, an important, and, yes, I believe a turning point in the destiny of this small, but great, nation.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for his statement. I want to thank him also for his leadership and thank him for his participation today in our meeting.

I now yield to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I thank the chairman for yielding. I, too, want to join with the others in thanking him for his leadership for the past year and a half, but particularly on today, on this day where crisis and time is of the essence.

I want to thank the gentlewoman from California (Ms. LEE) and the gentleman from Michigan (Mr. CONYERS) for their leadership on the Haiti Task Force. One always has to thank the great gentlewoman from California (Ms. WATERS) for simply being Maxine Waters.

Mr. Speaker, it is indeed again another one of those times where it is true that the Congressional Black Caucus is indeed the conscience of the Congress, and I would hope that with today's meeting we have awakened the conscience of those individuals that are currently at 1600 Pennsylvania Avenue, that we must not stand idly by as a Nation, a Nation that believes in democracy, and allow a people to die and a democracy to be wiped out.

We are indeed the world's only superpower, and just off our shores, in our hemisphere, is a case of democracy being dismantled by individuals who, by every account that I have heard, are violent, are thugs and criminals. In fact, the opposition is supposed to be peaceful, though they will not get to the negotiating table or agree to anything that has been put on the table so that this can be resolved in a peaceful way.

But because we are the only world superpower, it seems to me that we would have the ability to drive to get people to the table, to make that kind of difference, to save the lives, so that we can never see people dying in the streets, as we did just a short time ago in Rwanda.

In fact, I appeal to Americans that even in being selfish about this, when you think about what is going on in the world, if you want to be selfish about this, you know, if you have instability in Haiti, there could be instability here. In fact, people are coming now. The President says, "Don't

come." But they are going to come if their lives are on the line. They are going to go somewhere, and they are going to try to come here.

I think it is in our best interests to make sure that we intercede and have peaceful negotiations take place, and those negotiations are obviously not going to take place unless there is something affirmatively done to cause it to happen. We have the strength and the ability to do that.

Now, we do not have to do it alone. Clearly there are others that have agreed that they will come. They are just looking for a word; they are looking for some kind of indication to say, "Go do this," so we can bring Canada, we can bring France, and we can bring CARICOM along with us.

□ 2045

Now, I will start wrapping it up, because I know that we have a lot of Members who want to say something in regards to this. I will conclude by saying that without military intervention, be it the United States, not just by ourselves, or an international military intervention at this point, I fear that the leaders of Haiti with the most guns will feel that they can rule Haiti. It becomes the law of the jungle. And I seriously cannot see how those who would kill and destroy the institutions that currently exist, such as hospitals and other institutions that are being burned, will bring this great country back up. Let us act now, because the camera of history is roaming. Let it not be on our time that we say that we stood by and did nothing, allowing democracy to topple and people and bloodshed to fill the streets.

Mr. Speaker, I urge the President of the United States to do something to act, to lead, to save lives and save democracy in the country of Haiti.

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for his statement and his leadership.

Mr. Speaker, I yield to the gentlewoman from California (Ms. WATERS), my friend and colleague, who has just spent a phenomenal amount of time in Haiti and has been just a tremendous adviser to all of us in the caucus and has given so much blood, sweat, and tears and passion to this cause. I yield to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I would like to first thank the gentleman from Maryland (Chairman CUMMINGS) for the tremendous leadership he has provided to the members of the Congressional Black Caucus and ultimately to this House. Today he organized the members and we took the extraordinary step of going to the White House to present our case. I would like to thank the chairman for the leadership that he provided in the room with the President, with Secretary Powell, with Dr. Condoleezza Rice, and others. He presented our case and he presented it well. It was supported by other members of the Congressional Black Caucus

as we added to the presentation. In the final analysis, Mr. Speaker, we were able to paint the picture to lay out the case of what is going on in Haiti at this moment.

What we have is this, Mr. Speaker. We have the President of Haiti whose back is up against the wall. We have the President who signed on to a peace agreement that was presented by the international community, led by the United States of America. We have the President with a dwindling police force; and members of his police force are being killed every hour, not simply by the opposition, but by thugs and ex-military folks who have been in exile and who have come back into Haiti to join in this mayhem. He is sitting there asking for help. He has reached out to the United States. He has done everything that we have asked him to do, and he is waiting for some help.

In this coalition that we have, the United States, France, Canada, the OAS, the U.N., and CARICOM, it is time for somebody to step forward. We made our case to the President tonight because we want this great Nation to step forward and to lend a helping hand to this small, poor country in this hemisphere. We think it is the right thing to do. We want our country to lead. But as we stand on this floor tonight, we are saying to France, we are saying to Canada, we are saying to CARICOM, the U.N., OAS, all of them, somebody please step forward and avoid the blood bath that we feel could happen at any time.

We believe that not only should the United States provide some leadership, but this peace proposal was based on a presentation by CARICOM. This is the CARICOM proposal that was put on the table. Our friends in Jamaica and in the Bahamas and other states of the Caribbean who are so intricately involved in this must step forward. As I stand here, it is necessary for Jamaica to be in contact with South Africa in order for South Africa to be able to respond under the banner of CARICOM.

And so our message is not only to the President. We think he should lead, we think we should lead, but to all of the others who are in this coalition. Those friends of ours in the Caribbean, in CARICOM, who put this proposal together know what happens to small nation states. They understand what has been happening to Haiti for years. They too have to receive immigrants from Haiti who have been escaping Haiti for years. Finally, we thought they were settled under Aristide and this presidency. We know that we had the problems of people who did not want Aristide, who was responsible for the coup d'etat, the same people are involved that did not want him in the first place; the same folks who have enriched themselves on the backs of the poor people there and do not want change.

But I suppose we could stand here all night and discuss the history of Haiti and talk about how Haiti has been undermined, how we have had people

right here in the Congress of the United States, both Houses who have worked against Haiti for years. But rather than talk about all of that, this time should be used to make the plea, to say to our President, move now; to say to CARICOM, it is your proposal, enforce it. If the opposition does not support it, it is time to move ahead and stabilize this little country, save the lives, avoid the blood bath and emerge as honorable in all of this, honorable people, an honorable country that reached out a helping hand and did the right thing at the right time. We cannot wait any longer, Mr. Speaker.

Mr. CUMMINGS. Mr. Speaker, let me just say this: we in the Congressional Black Caucus stand very strongly behind this effort to bring peace to this land of Haiti, and we will continue to stand, and we do appreciate the meeting that we did have with the President today. But in echoing the words of the gentlewoman from California (Ms. LEE), we want the President to act. Words are nice, but now he must act.

#### CONGRESSIONAL BLACK CAUCUS UNITED ON HAITI

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from New Jersey (Mr. PAYNE) is recognized for 5 minutes.

Mr. PAYNE. Mr. Speaker, let me begin by thanking the gentleman from Maryland (Mr. CUMMINGS), the chairman of the Congressional Black Caucus, for calling this Special Order; and let me commend my colleagues, each of them, who gave eloquent speeches and for their involvement.

We have an issue here that the Black Caucus stands united on. We are together. This is an issue that is extremely serious, because the people of Haiti have endured more than their share of struggle, unrest, and bloodshed.

This January marks the bicentennial of the independence of Haiti in 1804, the world's first black republic and the second country in the Western Hemisphere to gain its independence, a country that defeated the mighty armies of Napoleon, where Napoleon sent his own brother to fight in Haiti and Haiti defeated the great French military. And in their defeat of the great French military, the French government became poorer. They needed funds. They expended tremendous amounts of money on the war. Secondly, Haiti produced more income for the French republic than all of the 13 Colonies in the United States put together. What they exported, what was taken out of Haiti were valuable items.

So we have a nation very strong and proud and important. We had a nation that Simon Bolivar lived in. He was a liberator of South America. He was in Haiti, and he lived there and he studied the valiance of the Haitian Army and went back and fought the Spanish and

South America and Bolivia became an independent country. We have Haiti that caused the French, as I mentioned, to lose their financial resources and, therefore, had to sell to the United States the Louisiana Purchase, the Louisiana territory which was controlled by the French. That opened up the west. The Lewis and Clarke expedition started in St. Louis and went and explored the United States of America, once again Haiti's connection to the growth and development. In the battle of Savannah, 800 Haitians fought in the Revolutionary War for our independence from Britain. As a matter of fact, the United States would not recognize Haiti for over 50 years until after the Civil War because they always had a fear that Haitians would come through Florida and then, because there were more black people in the South than whites, they thought that this Haitian Army could lead liberations through the States of the South of the United States of America, so they would not recognize Haiti because they did not want a Haitian diplomat to come to the United States. It was not until after the Emancipation Proclamation, after the Civil War, that the United States Government appointed Frederick Douglass to be the council general to Haiti. The U.S. waited until they felt comfortable that a black diplomat could come to this country.

So Haiti is involved with us. Our Marines went there in the 1900s and controlled, and we ran the country and we allowed dictators, Papa Doc and Baby Doc, to run that country.

So we have a responsibility. We should be there currently. We should be there to tell those thugs and drug dealers and the former soldiers of Generals Cedras and Biambraz and the former police chief Michel Francois who was one of the coup plotters when President Aristide was sent out of the country, those thugs and criminals and drug dealers are coming back into the country. Who could we negotiate with when we see bans of thugs running down the street and President Aristide, who speaks six languages, French and Spanish fluently, he will speak in Spanish or in English and Patois, his own language, and Latin? We are saying that he is a person that we cannot negotiate with and we are going to deal with drug dealers and thugs and gangsters and murderers and former people from the old army?

The answer is clear. We need to stand up now. We need to send resources into Haiti. We need to join with the international community, the French, the Canadians, the Venezuelans, the friends of Haiti who will come together, the Jamaicans, the South Africans. We must act; we must act now.

#### NOW IS THE TIME FOR ACTION IN HAITI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, I would like to join my colleagues in this vital discussion on Haiti. I want to first pay tribute, proper tribute to the people who are on the Haitian Task Force who have kept the caucus position going. The gentleman from Michigan (Mr. CONYERS), the gentlewoman from California (Ms. LEE), the gentlewoman from California (Ms. WATERS), and a few others have established a firm record of negotiations and letter-writing and they have allowed us to make a paper trail and a record of consideration and compromise that brings us to the point where we are today, and all that has been done, and now it is time for action.

□ 2100

Today, we decided to take action after being frustrated in numerous meetings where nothing was accomplished. We asked for a meeting with the President of the United States. We asked for a meeting with the President of the United States, and I stand here as a member of the Congressional Black Caucus who must admit I was more surprised than anybody else that we finally got the meeting with the President of the United States. It took some drama. We were sitting there talking to two of the President's representatives for an hour before finally he agreed to meet with us, and I will not go into all of that. I will not also go into the background of what is happening presently in Haiti unnecessarily.

I have two items I will submit for the RECORD at this point. One is a press release that I issued today, February 25, and also a letter to Colin Powell which I sent on February 19.

#### OWENS PLEADS FOR FRENCH EMERGENCY ACTION TO SAVE DEMOCRACY IN HAITI

In response to the dangerous escalation of the violence driven by a thug army in Haiti Congressman Major Owens offered the following motion at a Wednesday (February 25th) meeting of the Congressional Black Caucus: "To halt the escalating violence and the possible assassination of democracy in Haiti all of the members of the Congressional Black Caucus should immediately go to the French Embassy in Washington to plead for the dispatch of French forces to protect the government and the democratically elected President of Haiti."

"This White House and its agents are like Pontius Pilate pretending to wash their hands while the democratic nation of Haiti is assassinated," proclaimed Owens in a speech on the floor of the House of Representatives on February 24, 2004.

The Congressman from Brooklyn, which has a large community of Haitian Americans further charged: "At least one former CIA asset has been identified as a leader of the band of savage guerrillas. The people of the United States must turn their backs on this conspiracy and demand that the democratic nation of Haiti, the democratic government, the duly-elected President of Haiti be supported by the United States Government and that Aristide be allowed to serve out his next 2 years without any compromise with bands of thugs in the street."

In a letter sent last week to Secretary of State, Colin Powell, Owens insisted that: "History will hold the United States accountable for the situation in Haiti! Years of

hostile U.S. policy with regard to Haiti has brought about the current political crisis and deteriorating economic and social conditions there."

The Congressman, who from 1991 to 1995, served as Chairman of the CBC Task Force on Haiti, is applauding other current actions being taken by the CBC: A demand for a meeting with President Bush; a CBC Delegation trip on Haiti on Friday, February 27th; a demand for a second meeting with CIA and U.S. State Department representatives; and united actions with students and other Haitian support groups.

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 19, 2004.

Hon. COLIN POWELL,  
Secretary of State, Department of State, Washington, DC.

DEAR SECRETARY POWELL: I am disturbed by the failure of your office to take immediate steps to stop the mass murder in Haiti. Haiti is on the brink of civil war and the Bush Administration stands in the shadows waiting for the destruction of Aristide.

I call on you and the Bush Administration to take immediate steps to defend the democratically elected government of Haiti. Advisory from the United States must be dispatched at once to reinforce the police in Haiti and restore law and order.

History will hold the United States accountable for the situation in Haiti! Years of hostile U.S. policy with regard to Haiti has brought about the current political crisis and deteriorating economic and social conditions there. In addition to placing an economic stranglehold on Haiti the Bush Administration has emboldened the political opposition in its quest to topple the democratically elected President of Haiti. President Aristide must be allowed to serve out the remainder of his term without interference from the United States. There must be no regime change in Haiti! President Aristide was democratically elected by the people of Haiti and the United States is obligated to respect the will of the Haitian people.

The United States and the international community must act in collaboration to resolve the political impasse in Haiti. The United Nations must begin meeting immediately in order to prepare for a long-term peaceful resolution to Haiti's political and economic situation. Immediate action must begin now to avert more violence and mass exodus of Haitians. The French are considering sending peacekeepers and the Canadians have offered nearly \$1 million in medical and food aid. The United States can not shirk its responsibility to the Haitian people. The U.S. must cooperate with the international community to restore law and order and provide humanitarian aid to Haiti now! Your lack of resolve in discouraging anarchy and restoring democracy in Haiti is unconscionable.

What is the Administration waiting for? How many more Haitians must die before the international community led by the United States takes the necessary steps to guarantee the maintenance of democracy in Haiti. Send police advisors to restore democracy in Haiti now!

MAJOR R. OWENS,  
Member of Congress.

The important thing is why are we so reluctant to protect the democratically elected government of Jean-Bertrand Aristide in Haiti? What has Aristide done wrong? Why do we continually hear that Aristide is no better than the thugs and killers and drug dealers who are opposed to him? Why

do we continually hear that he is to blame? What are the charges against Jean-Bertrand Aristide? Does he build palaces like Saddam Hussein all over the place using the money of the taxpayers of Haiti in a profligate manner? Is he himself in some way a debaucher? Has he traveled around the world and shopped and spent the money of his government? What are the charges against Jean-Bertrand Aristide? Why is he considered to be equal with the thugs and the drug dealers and killers who are now forming the opposition against him?

The truth of the matter is Jean-Bertrand Aristide was elected by the people of Haiti not once, but twice. They seem to lose sight of the chronology. Aristide was elected in 1991. The Army of Haiti deposed him. He was driven out of the country. He spent a large amount of time here in Washington in an apartment while he was exiled.

We finally convinced President Clinton to use armed intervention to restore the Government of Haiti. Aristide went back to Haiti, and although he had spent 3 years away from his government and had only 2 remaining, our government says, well, you ought to just only serve out your remaining 2 years, do not stay any longer. He complied with that. This is a man who is not obstinate or stubborn. He complied. He stepped down after 2 years, and another President took over, Mr. Preval, for 5 years, and then Aristide was reelected overwhelmingly after Mr. Preval had finished his 5 years.

Now we have an orderly transition in Haiti for the first time in history, orderly transition under the Constitution of Haiti. What is Aristide guilty of? If he has obeyed, like George Washington as a leader, very popular, he could have gotten a mandate from the people to stay in for life and all these kinds of things dictators do. He has not done that. We have not accused Aristide of having weapons of mass destruction. So why are we equating Aristide with the opposition, a band of rebels and violent people who want to overthrow the government that is duly elected?

I tell you why. There is a band of families, some say 6, some say 10, a band of rich families who have run Haiti the last 100 years. The rich have always been able to pick the governments. They have always been able to control the governments through the army. Aristide disbanded the army, and he cannot be thrown out by an army. So they have thugs and killers and drug dealers organized to throw out Aristide so they can work their will on the people.

Aristide is a great man. He should not be left to a fate of assassination. Our government should act to protect this democratically elected Government of Haiti.

#### HAITI CRISIS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous

order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to be able to rise to join my colleagues of the Congressional Black Caucus for what I think is one of the more important presentations to this House and to our colleagues and to the Nation, and that is, what is the role of the most powerful democracy in the world if it is not to look just a few miles to the south to be able to engage with a long-standing ally, in fact an ally that stood shoulder to shoulder with the Founding Fathers of this Nation and bled on our behalf so that we might be free. Today we find ourselves standing alongside of our Haitian brothers and sisters seeking justice and freedom for them.

I want to thank the Chairman of the Congressional Black Caucus for his leadership and my many colleagues who have spent hours upon hours working to secure the freedom of the Haitians. As mentioned, those Members, from the gentleman from Michigan (Mr. CONYERS) to the gentleman from New York (Mr. OWENS), to the gentleman from New Jersey (Mr. PAYNE), the gentlewoman from California (Ms. LEE) and the gentlewoman from California (Ms. WATERS), working with all of us in our respective responsibilities, have stood for the cause of justice, but also for saving lives.

Mr. Speaker, this is no time for silence because silence will only render a death sentence to every Haitian who seeks freedom in this century.

I am saddened by the fact that it seems there are inner workings in the State Department and other places that, rather than promote the democratization and the existence of the democracy of Haiti, there seems to be an undermining of a duly elected democratic government. The meeting today, as called by the Congressional Black Caucus because of the emergency crisis in Haiti, first with the Secretary of State and Dr. Rice, was certainly a door opener, but it was clear that we needed to meet with the President of the United States. Tonight I thank the President for this meeting, and I hope that out of the meeting and what was presented to the President in seriousness and in the backdrop of the impending crisis and bloodshed in Haiti, in Port-au-Prince, that he will act now in the next 24 hours.

Mr. Speaker, we are only 650 miles away from Haiti off the coast of Florida. Right now in those waters is a boat of refugees, more expected to come. The Congressional Black Caucus, with its expertise, gave to the President the instructions, and it should not be viewed as dominance. It should be viewed as collaboration.

It is imperative that military assistance go to Haiti now because what the people in Port-au-Prince are facing is



an insurgence of violent thugs with guns and M-16s, while they are raising their hands and their fists and clubs and sticks. There will be bloodshed in the streets.

We need a humanitarian corps that will allow safe water and food to come in now. You can see the film all over the airwaves of the United States, mothers holding babies in their arms, banging on the gates of the United States Embassy which is safe by the 50 marines that are there.

Can we do more for the Haitians? It is imperative that we gain the moral high ground by talking to the Canadian officials, the French officials, CARICOM and our allies around the world to join us in stopping the bloodshed in Haiti.

It is important for the American people to understand that no action will create thousands and thousands and boatloads of Haitians coming to this shore for survival, and I know that the American people do not want to see the continued death of Haitians as they drown in the waters off the coast of Florida. That is what will occur.

In addition, what we need to do is to join in supporting the legislation of the gentleman from Florida (Mr. MEEK) to provide temporary protective security for the Haitians that may be coming to this country. More importantly, we need also, Mr. Speaker, to reform the immigration laws that will allow those Haitians who are fleeing because of political persecution to come to these shores, as do their Cuban brothers and sisters. Mr. Speaker, we can do no less.

Mr. Aristide accepted the peace plan that was presented by the U.N. Security Council and the United States, but the opposition, the insurgents, have not. Why are we condemning a man that was elected democratically, stepped down, allowed a new President, has come back and has indicated that he will end his tenure in 2006? I hear tell that there is a proposal to select some random ministerial person in the government, some member of the judiciary, ex-member of the judiciary percolating in the Secretary of State's office or the Secretary of State or the State Department. Mr. Speaker, that will not work. That person has no base of support, and those who are supporting the President, President Aristide, will go into the streets. Insurgents will take over, and it will be immediate collapse.

Mr. Speaker, it is time now for us to be heard, the Congressional Black Caucus. This is a mercy plea. It is imperative that we save the lives of those there, military assistance now and humanitarian aid. We thank the President, and we expect and hope to hear from him and the administration within the next 24 hours.

Mr. Speaker, I will insert my full statement at this point in the RECORD.

"AM I MY BROTHER'S KEEPER?" GENESIS 4:9

1. Perhaps one of the more thought-provoking questions in the Bible is that one asked by Cain: (a) Cain had killed his brother be-

cause God had accepted Abel's offering, but not his own—Gen 4:3–8; (b) when the Lord inquired concerning Abel, Cain's response was: "Am I my brother's keeper?" (Gen 4:9).

The answer is, Mr. Speaker, "yes we are." They are our brothers and we must be their keepers. I rise this evening to once again revisit the escalating political crisis in Haiti. I, along with members of the Congressional Black Caucus (CBC) met with President George Bush, Secretary of State Colin Powell, and National Security Advisor Dr. Condoleezza Rice to discuss the immediate need for the establishment of a humanitarian zone with foresight in Haiti. I also want to mention the leadership of Ranking Members CHARLES RANGEL and JOHN CONYERS for re-emphasizing that this was an issue of life and death.

We stressed to President Bush that the United States must support democracy and that the rule of law is paramount. Instead of political ideologies, we need to preserve the innocent lives in the region where over 70 have been killed and dozens wounded to date. Violence, chaos, and anarchy cannot be allowed to oust the democratic government.

The deadly uprisings in this war-torn nation come at the hands of the same factions that ravaged Haiti several years ago. Reports show that two of the rebel leaders are the most notorious torturers of the death squads, having already earned a reputation of infamy in a massacre that took place before Jean-Bertrand Aristide returned to power.

Louis-Jodel Chamblain is a former military leader who once orchestrated the most recent coup d'etat in Haiti in 1991 with a brutal paramilitary group. Guy Phillippe, a charismatic former soldier and loyalist to President Aristide, fled Haiti 3 years ago in exile to the Dominican Republic to escape charges of drug-dealing and treason. Phillippe and Chamblain crossed the Dominican border back into Haiti a week ago to join their gang of former police and soldiers.

We cannot allow innocent Haitians to die at the hands of thugs who want to thwart the establishment of democracy. We hope that, after our meeting, the President will call for an affirmative plan to respond to the Opposition Party's rejection of peace proposals offered by the Caribbean Community (CARICOM) and the Organization of American States (OAS). Our acquiescence and inaction will soon suggest support of the opposition; therefore, it is time that we acted to demonstrate our strong commitment to democracy, constitutional government, peace, and the rule of law.

Humanitarian aid and military assistance are critical needs for the Haitians given the threat that demonstrators may thwart the delivery of food and other relief items. There has already been a cry for assistance by President Aristide. Haiti, the poorest country in the Western Hemisphere, with only 4,000 police officers for 8 million citizens has formally requested humanitarian aid and security forces.

As we work with the government of Haiti to explore the role of the international community in averting civil war, we must also begin to look beyond the current crisis. For example, Haiti continues to be in dire need of food aid and medical assistance. The current unrest could set off an exodus of refugees. Furthermore, there is an uncertainty as to the timing and fairness of the next elections is promoting suspicions and instability. We must anticipate the work that will have to be done in order to

effectively and humanely process the imminent influx of refugees by improving our immigration screening and detention processes.

I do not believe that Haitian refugees receive a fair chance to satisfy the requirements for entitlement to an asylum hearing. Also, I am disturbed by the lack of parity between the Haitian refugees and the Cuban refugees. While Haitian refugees are detained and then removed from the United States, Cuban refugees who reach American soil are welcomed. They are admitted or paroled into the United States, and a year later they are eligible for adjustment of status to that of lawful permanent residents. This difference in treatment is unfair and unjustifiable.

I will support a bill sponsored by our colleague Mr. MEEK of Florida to designate Haiti under Section 244 of the Immigration and Nationality Act to allow Haitian refugees to obtain Temporary Protective Status (TPS). I have signed on to join my brother today in fact to take leadership in this crisis.

Furthermore, I will introduce a piece of legislation, the "Comprehensive Immigration Reform Act of 2003." Section 502 of this bill responds to Attorney General Ashcroft's decision in *Matter of D-J-*, 23 I&N Dec. 572 (AG 2003), in which he denied bond release to a Haitian on the ground that giving bond to undocumented refugees who come to the United States by sea would cause adverse consequences for national security and sound immigration policy.

This legislation would permit the adjustment of status for Haitians who meet the following categories: (1) The individual would have to be a native or citizen of Haiti; (2) the individual would have to have been inspected and admitted or paroled into the United States; and (3) the individual would have to have been physically present in the United States for at least 1 year.

The Caucus advocates positive action by the U.S. Government to support peaceful and democratic efforts to alleviate the violent and unsanitary conditions to prevent the spread of diseases such as HIV/AIDS. Collaboration by and assistance from the United Nations will be key in the effort to stimulate the participation of the international community. The Haitian people must implement the organic constitutional and democratic principles to indicate its contrition and willingness to effect change. With the plan to institute a democratic form of governance must accompany maintenance of the rule of law so as to ensure the development of a framework of fundamental rights. Violence will not bring about peace, but fair and transparent electoral process will.

Mr. Speaker, I hope that our words are heard and that this Nation will move to end this problem before a full-scale civil war results. Action today will translate into an investment that will benefit innocent Haitian lives and the immigration challenges that do not diminish. I urge this administration to do the right thing and to provide the humanitarian aid and security provisions necessary to save these lives.

And as the song by the great Ben E. King goes:

Oh, stand by me  
Oh stand, stand by me, stand by me  
If the sky that we look upon  
Should tumble and fall  
Or the mountain  
Should crumble to the sea



I won't cry, I won't cry  
No, I won't shed a tear  
Just as long as you stand  
Stand by me

### WE CAN NEVER SAY ENOUGH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, much has been said, but then you can never say enough when the lives of thousands of people are at stake. You can never say enough when bloodshed is imminent, when chaos is all around.

I have been told that the primary responsibility of leadership is to lead, and I want to commend the gentleman from Maryland (Mr. CUMMINGS), Chairman of the Congressional Black Caucus, for his leadership on this and many other issues with which we have been confronted. Recognize that in times of crisis you have to act; you have to do something. You cannot just sit back and wait and hope.

So, Mr. President, I join with all of my colleagues. I join with those in the international community, those who expect this country, a world leader, to take the initiative and the responsibility to lead, to bring together international thought, international action, establish a real presence in Haiti, establish a presence that will say to the people, come and let us reason together. Otherwise the whole island may be utterly destroyed by the edge of the sword; if not the sword, then the MIs, the grenades, the homemade bombs.

Mr. Speaker, this is a situation where it is difficult to see how our country, the United States of America, the protector, guarantor of rights, if we do not see the humaneness of intervention, and we are not talking about intervention to take over, we are not talking about being oppressive, we are talking about enough presence to settle the climate, to create the environment where people can at least sit at the table, work out an agreement, settle in.

So, Mr. President, I hope that you have heard what my colleagues have been saying. I hope that you and your advisers are listening, and I hope that you understand that the fate of a Nation is actually hanging in the balance, and to imagine that we have the power, we have the ability to save that Nation.

I think it is our duty, it is our responsibility, it is our heritage. It is only what could be expected of a Nation that wants to be the leading Nation of the world. Then we have to take that responsibility. We have to lead, and the best way to demonstrate leadership is to send in enough force to have a presence to bring about a peaceful solution to this imminent bloodbath that is about to occur.

□ 2115

Please, Mr. President, listen to the voices of reason and take action now.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.  
Mr. EMANUEL, for 5 minutes, today.  
Mr. BROWN of Ohio, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.  
Mr. HINOJOSA, for 5 minutes, today.  
Ms. LEE, for 5 minutes, today.  
Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.  
Mr. PAYNE, for 5 minutes, today.  
Ms. NORTON, for 5 minutes, today.  
Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.  
Ms. CARSON of Indiana, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.  
Ms. LORETTA SANCHEZ of California, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.  
Mr. FROST, for 5 minutes, today.  
Mr. STRICKLAND, for 5 minutes, today.

(The following Members (at the request of Mr. WELLER) to revise and extend their remarks and include extraneous material:)

Mr. TERRY, for 5 minutes, today.  
Mr. WELLER, for 5 minutes, today.  
Mr. MURPHY, for 5 minutes, today.  
Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.  
Mr. KIRK, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today. Ms. JACKSON-LEE of Texas, for 5 minutes, today.

### BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House Reports that on February 24, 2004 he presented to the President of the United States, for his approval, the following bill.

H.R. 743. To amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes.

### ADJOURNMENT

Mr. DAVIS of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 16 minutes p.m.), the House adjourned until tomorrow, Thursday, February 26, 2004, at 10 a.m.

### OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 108th Congress, pursuant to the provisions of 2 U.S.C. 25:

BEN CHANDLER, Kentucky 6th.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6786. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution, to inform Congress of the decision to deploy a security force to Port-au-Prince, Haiti, to augment the Embassy security forces, pursuant to Public Law 93-148; (H. Doc. No. 108-163;) to the Committee on International Relations and ordered to be printed.

6787. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil [USCG-1998-3417] (RIN: 1625-AA19) received February 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6788. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Caloosahatchee River Bridge (SR 29), Okeechobee Waterway, Labelle, Florida. [CGD07-02-141] (RIN: 1625-AA09) received February 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6789. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Handling of Class 1 (Explosive) Materials or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities [USCG-1998-4302] (RIN: 1625-AA07) received February 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6790. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Areas, San Francisco Bay, CA [CGD11-03-001] (RIN: 1625-AA11) received February 23, 2004,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6791. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico for Green Canyon 645 [CGD08-03-028] (RIN: 1625-AA76) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6792. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Special Anchorage Area; St. Lucie River, Stuart, FL [CGD07-03-110] (RIN: 1625-AA01) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6793. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade [USCG-2001-8825] (RIN: 1625-AA28) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6794. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Houston Ship Channel and adjacent waterways between Buffalo Bayou and Morgans Point, Houston, TX [COTP Houston-Galveston-03-004] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6795. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Port of Texas City Channel, Turning Basin and Industrial Canal, Texas City, TX [COTP Houston-Galveston-03-005] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6796. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Military Ocean Terminal Sunny Point and Lower Cape Fear River, Brunswick County, NC [CGD05-03-205] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6797. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Lower Mississippi River, Mile Marker 88.1 to 90.4 Above Head of Passes, New Orleans, LA [COTP New Orleans-03-029] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6798. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Salem and Hope Creek Generation Stations, Delaware River, Salem County, New Jersey [COTP PHILADELPHIA 03-003] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6799. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Oyster Creek Generation Station, Forked River, Ocean County, New Jersey [COTP PHILA-

DELPHIA 03-005] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6800. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; St. Croix, United States Virgin Islands [COTP San Juan 03-176] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6801. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Cape Fear River, Eagle Island, North Carolina State Port Authority Terminal, Wilmington, NC [CGD05-03-207] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6802. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Chesapeake & Delaware Canal [CGD05-04-003] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6803. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Delaware River [CGD05-04-015] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6804. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Delaware River [CGD05-04-021] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6805. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Chesapeake & Delaware Canal [CGD05-04-022] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6806. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Corpus Christi—Port Aransas Channel—Tule Lake, Corpus Christi, TX. [CGD08-04-005] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6807. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; East Pascagoula River, Pascagoula, MS [CGD08-04-002] (RIN: 1625-AA09) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6808. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Alabama River, Montgomery, AL [CGD08-04-001] (RIN: 1625-AA09) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6809. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the De-

partment's final rule—Security Zone; Oyster Creek Generation Station, Forked River, Ocean County, NJ [CGD05-03-111] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6810. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone Regulations, New Tacoma Narrows Bridge Construction Project [CGD13-03-025] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6811. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Salem and Hope Generating Stations, Delaware River, Salem, NJ [CGD05-03-113] (RIN: 1625-AA00) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6812. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Distributions of Stock and Securities of a Controlled Corporation (Rev. Rul. 2004-23) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6813. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Request for Comments Concerning the Treatment of Amounts Required to Be Capitalized in Certain Transactions to which 1.263(a)-5 Applies [Notice 2004-18] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6814. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Foreign Tax Credit Abuse [Notice 2004-19] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6815. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Abusive Foreign Tax Credit Intermediary Transaction [Notice 2004-20] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6816. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2004-25) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6817. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters (Rev. Proc. 2004-16) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REYNOLDS: Committee on Rules. House Resolution 536. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

(Rept. 108-428). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PLATTS (for himself and Mr. TOM DAVIS of Virginia):

H.R. 3826. A bill to require the review of Government programs at least once every 5 years for purposes of evaluating their performance; to the Committee on Government Reform.

By Mr. RANGEL:

H.R. 3827. A bill to amend the Internal Revenue Code of 1986 to protect American jobs; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 3828. A bill to authorize funding for University Nuclear Science, Engineering, and Health Physics Programs at the Department of Energy for fiscal years 2005 through 2008; to the Committee on Science.

By Mr. CANTOR:

H.R. 3829. A bill to amend the Internal Revenue Code of 1986 to provide that interests in certain domestically controlled investment partnerships are not treated as United States real property interests; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 3830. A bill to amend title 31, United States Code, to provide reasonable standards for congressional gold medals, and for other purposes; to the Committee on Financial Services.

By Mr. CASTLE (for himself, Mrs. MCCARTHY of New York, Mr. TOM DAVIS of Virginia, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Mr. KIRK, Mr. QUINN, and Ms. ROS-LEHTINEN):

H.R. 3831. A bill to extend the sunset on the assault weapons ban for 10 years; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mrs. MCCARTHY of New York, Mr. QUINN, Mr. KIRK, and Mrs. JOHNSON of Connecticut):

H.R. 3832. A bill to require criminal background checks on all firearms transactions occurring at events that provide a venue for the sale, offer for sale, transfer, or exchange of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. LEWIS of Georgia, and Mr. OWENS):

H.R. 3833. A bill to direct the Secretary of Transportation to establish a pilot program to facilitate the use of natural gas buses at public airports through grants for energy demonstration and commercial application of energy technology, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Florida (for himself, Mrs. WILSON of New Mexico, Mr. HASTINGS of Florida, Mr. SHAW, Mr. CASE, Ms. GINNY BROWN-WAITE of Florida, Ms. ROYBAL-ALLARD, Mr. CUNNINGHAM, Mr. HINOJOSA, Mr. ISSA, Mr. GREEN of Texas, Mr. FOLEY, Mr. FILNER, Ms. ROS-LEHTINEN, Ms. CORRINE BROWN of Florida, Mr. MICA, Mrs. DAVIS of California, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CRENSHAW, Mr. HUNTER, Mr. DOOLITTLE, and Mr. POMBO):

H.R. 3834. A bill to direct the Secretary of Energy to make incentive payments to the

owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate such facilities, and for other purposes; to the Committee on Resources.

By Mr. DINGELL (for himself, Mr. STUPAK, Mr. CONYERS, Ms. KILPATRICK, Mr. KILDEE, and Mr. LEVIN):

H.R. 3835. A bill to amend part C of title XVIII of the Social Security Act to prohibit the operation of the Medicare comparative cost adjustment (CCA) program in Michigan; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOFFEL (for himself, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. FATTAH, Mr. HOLDEN, Mr. KANJORSKI, and Mr. MURTHA):

H.R. 3836. A bill to amend part C of title XVIII of the Social Security Act to prohibit the operation of the Medicare comparative cost adjustment (CCA) program in Pennsylvania; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. PORTMAN, and Mr. MORAN of Kansas):

H.R. 3837. A bill to amend the Internal Revenue Code of 1986 to limit the deduction for charitable contributions of patents and similar property; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. SHAYS, Mr. SIMMONS, and Mr. JOHNSON of Illinois):

H.R. 3838. A bill to provide grants to local governments to assist such local governments in participating in certain decisions related to certain Indian groups and Indian tribes; to the Committee on Resources.

By Mrs. MCCARTHY of New York (for herself, Mr. FROST, Mr. OWENS, Mrs. JONES of Ohio, Mr. RUPPERSBERGER, Mr. STARK, Mr. SERRANO, Ms. WOOLSEY, Mr. RANGEL, Mrs. MALONEY, Ms. MCCOLLUM, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania):

H.R. 3839. A bill to authorize the Secretary of Homeland Security to make grants to address homeland security preparedness shortcomings of units of municipal and county government; to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NETHERCUTT:

H.R. 3840. A bill to amend title XXI of the Social Security Act to permit qualifying States to use a portion of their allotments under the State children's health insurance program for any fiscal year for certain Medicaid expenditures, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself, Mr. ANDREWS, Mr. HOLT, Mr. PAYNE, Mr. ROTHMAN, Mr. PASCRELL, and Mr. MENENDEZ):

H.R. 3841. A bill to amend part C of title XVIII of the Social Security Act to prohibit the operation of the Medicare comparative cost adjustment (CCA) program in New Jersey; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. RANGEL, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. CROWLEY, Mr. ENGEL, Mr. HINCHEY, Mr. ISRAEL, Mrs. LOWEY, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. McNULTY, Mr. MEEKS of New York, Mr. NADLER, Mr. OWENS, Mr. SERRANO, Mr. TOWNS, Ms. VELAZQUEZ, and Mr. WEINER):

H.R. 3842. A bill to amend part C of title XVIII of the Social Security Act to prohibit the operation of the Medicare comparative cost adjustment (CCA) program in New York; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself and Mr. BEAUPREZ):

H.R. 3843. A bill to better provide for compensation for certain persons injured in the course of employment at the Rocky Flats site in Colorado; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico:

H.R. 3844. A bill to amend part C of title XVIII of the Social Security Act to prohibit the comparative cost adjustment (CCA) program from operating in the State of New Mexico; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. TANCREDO, Mr. DOOLITTLE, Mrs. MYRICK, Mr. KING of Iowa, Mr. GARRETT of New Jersey, Mr. SHADEGG, Mr. BARTLETT of Maryland, Mr. MILLER of Florida, Mr. SESSIONS, Mr. FROST, Mr. LIPINSKI, Mr. WILSON of South Carolina, Mr. COOPER, Mr. ADERHOLT, and Mr. REYES):

H. Con. Res. 367. Concurrent resolution saluting the life and courage of the late Commander Lloyd "Pete" Bucher, United States Navy (retired), who commanded the U.S.S. Pueblo (AGER-2) at the time of its capture by North Korea on January 23, 1968; to the Committee on Armed Services.

By Mr. PETRI:

H. Con. Res. 368. Concurrent resolution recognizing The Garden Club of America on the occasion of its 91st annual meeting; to the Committee on Government Reform.

By Mr. SANDERS:

H. Con. Res. 369. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of Matthew Lyon; to the Committee on Government Reform.

By Ms. WATERS (for herself, Ms. LEE, Ms. WATSON, Mr. BROWN of Ohio, Mr. CONYERS, Mr. EMANUEL, Mr. PALLONE, Mr. RANGEL, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. HASTINGS of Florida, Mr. DAVIS of Illinois, Ms. MAJETTE, Mr. OWENS, Ms. NORTON, Mr. MEEKS of New York, Mr. CLYBURN, Mr. PAYNE, Mr. WATT, Mr. BALLANCE, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. KILPATRICK, Mrs. JONES of Ohio, Mrs. CHRISTENSEN, Mr.

CUMMINGS, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DELAHUNT, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. TOWNS, and Mr. FATTAH):

H. Con. Res. 370. Concurrent resolution expressing the sense of Congress that the United States should support the principles of democracy and constitutional rule in the Republic of Haiti, and for other purposes; to the Committee on International Relations.

By Mr. HILL:

H. Res. 534. A resolution providing for the consideration of the bill (H.R. 1769) to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States; to the Committee on Rules.

By Mr. WELLER (for himself, Mr. BALLENGER, Ms. HARRIS, and Mr. SOUDER):

H. Res. 535. A resolution expressing the concern and support of the House of Representatives for local elected officials under threat of assassination, kidnapping, forcible displacement, and coercion by terrorist organizations in the Republic of Colombia; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania:

H. Res. 537. A resolution recognizing the exemplary contributions of the Gilmore Commission to the homeland security of the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 110: Mr. CARDOZA.  
H.R. 111: Mr. FROST and Mr. BARTLETT of Maryland.  
H.R. 284: Mr. CLYBURN.  
H.R. 290: Mr. BOUCHER and Mr. LOBIONDO.  
H.R. 339: Mr. BURNS.  
H.R. 476: Mr. WEINER and Mr. LANTOS.  
H.R. 610: Mr. WU.  
H.R. 677: Mr. ACEVEDO-VILA, Mr. GEORGE MILLER of California, Mr. NAPOLITANO, Ms. NORTON, and Ms. WATSON.  
H.R. 713: Mr. CONYERS and Ms. BERKLEY.  
H.R. 776: Ms. LOFGREN.  
H.R. 840: Mr. McNULTY.  
H.R. 880: Mr. LANTOS.  
H.R. 962: Mr. RANGEL, Mrs. JONES of Ohio, Mrs. DAVIS of California, Mr. GUTIERREZ, and Mr. SCHIFF.  
H.R. 977: Mr. KILDEE, Mr. THOMPSON of Mississippi, and Mr. MARKEY.  
H.R. 1002: Mr. SAXTON.  
H.R. 1010: Mrs. MALONEY.  
H.R. 1127: Mr. GRAVES and Mr. ROHR-ABACHER.

H.R. 1214: Mr. EMANUEL and Mr. LAMPSON.  
H.R. 1377: Mr. JACKSON of Illinois.  
H.R. 1426: Mr. McDERMOTT.  
H.R. 1434: Mr. LEWIS of Georgia.  
H.R. 1472: Mr. CONYERS.  
H.R. 1532: Mr. POMEROY, Mr. SNYDER, and Mr. GERLACH.  
H.R. 1582: Mr. KOLBE.  
H.R. 1613: Mr. HOLT, Mr. NADLER, Ms. NORTON, and Mr. ROTHMAN.  
H.R. 1634: Mr. FILNER.  
H.R. 1726: Mr. RAHALL.  
H.R. 1767: Mr. GARRETT of New Jersey, Mr. RAMSTAD, and Mr. BACHUS.  
H.R. 1824: Mr. BEAUPREZ, Mr. PRICE of North Carolina, and Mr. PAYNE.  
H.R. 1863: Ms. WOOLSEY, Mr. BISHOP of Georgia, Mr. OLVER, and Mr. INSLEE.  
H.R. 2011: Mr. LIPINSKI.  
H.R. 2154: Mr. KINGSTON.  
H.R. 2217: Mr. GORDON.  
H.R. 2227: Mr. FORD and Mr. WAMP.  
H.R. 2260: Mr. QUINN and Mr. GORDON.  
H.R. 2293: Mr. BALLENGER and Mr. FLAKE.  
H.R. 2318: Mr. CHANDLER.  
H.R. 2497: Mr. HOFFEL.  
H.R. 2761: Mrs. MALONEY.  
H.R. 2768: Mr. BEAUPREZ.  
H.R. 2823: Mr. RAHALL and Mr. BRADLEY of New Hampshire.  
H.R. 2824: Mr. GARRETT of New Jersey, Mr. VAN HOLLEN, Mr. SESSIONS, Mr. HAYES, and Mr. WILSON of South Carolina.  
H.R. 2840: Mr. NADLER.  
H.R. 2900: Mr. MICA and Mr. LEWIS of Kentucky.  
H.R. 2932: Mr. HOLT.  
H.R. 2971: Mr. McDERMOTT.  
H.R. 3002: Mr. KOLBE.  
H.R. 3015: Mr. BOOZMAN.  
H.R. 3048: Mr. FLAKE.  
H.R. 3058: Mr. CHOCOLA.  
H.R. 3194: Mr. TIERNEY, Mr. WEXLER, and Ms. KAPTUR.  
H.R. 3242: Ms. SLAUGHTER, Mr. POMEROY, and Mr. LAMPSON.  
H.R. 3307: Mr. TIBERI and Mr. MILLER of Florida.  
H.R. 3324: Mr. MARSHALL.  
H.R. 3341: Mr. BALLANCE and Mr. BOUCHER.  
H.R. 3344: Mr. MCINTYRE and Ms. WOOLSEY.  
H.R. 3451: Mr. BISHOP of Georgia.  
H.R. 3480: Ms. LOFGREN.  
H.R. 3528: Mr. LARSON of Connecticut, Mr. RANGEL, and Mr. HASTINGS of Florida.  
H.R. 3539: Mr. BISHOP of Georgia, Mr. HOLDEN, Mr. ENGEL, Mr. HASTINGS of Florida, Mr. DEUTSCH, and Mr. MENENDEZ.  
H.R. 3545: Ms. LEE.  
H.R. 3572: Mr. OWENS.  
H.R. 3591: Mr. LEACH.  
H.R. 3604: Mr. LEWIS of Kentucky and Mr. WHITFIELD.  
H.R. 3605: Mr. NEY.  
H.R. 3610: Mr. SANDLIN.  
H.R. 3619: Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. POMEROY, Mr. LATOURETTE, Mr. SCOTT of Georgia, Mr. MEEKS of New York, and Mr. RANGEL.  
H.R. 3672: Mrs. DAVIS of California and Mrs. CAPPES.  
H.R. 3676: Mr. CUMMINGS, Mr. EMANUEL, and Mr. BERMAN.

H.R. 3678: Mr. BISHOP of New York.  
H.R. 3684: Mr. MCGOVERN, Mr. ISRAEL, Mr. LANGEVIN, and Mr. SHAYS.  
H.R. 3707: Mr. HINCHEY, Mr. KILDEE, Mr. MATSUI, Mr. EVANS, Ms. SLAUGHTER, and Mr. PASTOR.  
H.R. 3708: Mr. FLAKE.  
H.R. 3714: Mr. GRIJALVA, Mr. FRANK of Massachusetts, and Mr. RYAN of Ohio.  
H.R. 3764: Mr. BILIRAKIS, Mr. ENGLISH, Ms. LOFGREN, Mr. OWENS, Mr. PLATTS, Ms. GINNY BROWN-WAITE of Florida, Mr. HINOJOSA, Mr. PAYNE, Mrs. WILSON of New Mexico, Ms. NORTON, Mr. GRIJALVA, and Mr. RUSH.  
H.R. 3771: Mr. FRANK of Massachusetts, Mr. McNULTY, and Mr. WOLF.  
H.R. 3793: Mr. STEARNS, Mr. BARTLETT of Maryland, Mr. TANCREDO, Mr. PALLONE, and Mr. BERMAN.  
H.R. 3796: Mrs. CAPITO.  
H.R. 3801: Mr. BURGESS, Mr. TANCREDO, and Mr. TERRY.  
H.R. 3815: Mr. FROST and Mr. SERRANO.  
H.R. 3818: Mr. WALSH, Mr. LAMPSON, and Mr. ANDREWS.  
H.J. Res. 60: Mr. MILLER of Florida.  
H. Con. Res. 15: Mr. WELDON of Florida, Mr. WALSH, and Ms. WATSON.  
H. Con. Res. 99: Mr. MCGOVERN, Mr. NEAL of Massachusetts, and Mr. MATSUI.  
H. Con. Res. 111: Mr. LYNCH.  
H. Con. Res. 218: Mr. KENNEDY of Rhode Island and Mr. FROST.  
H. Con. Res. 232: Mr. BARTLETT of Maryland.  
H. Con. Res. 276: Mr. OBERSTAR and Ms. LEE.  
H. Con. Res. 298: Mr. GREENWOOD.  
H. Con. Res. 304: Mr. GREEN of Wisconsin and Mr. SHAYS.  
H. Con. Res. 307: Mr. ISRAEL.  
H. Con. Res. 327: Mr. MCGOVERN and Ms. WOOLSEY.  
H. Con. Res. 332: Mr. DAVIS of Alabama, Mr. REHBERG, Mr. GREEN of Wisconsin, Mr. CLAY, and Mr. KILDEE.  
H. Con. Res. 353: Mr. BELL, Mr. NEY, Ms. SCHAKOWSKY, Mr. WU, Mr. COX, Mr. GRIJALVA, Mr. LEWIS of Georgia, and Ms. WATSON.  
H. Res. 38: Mr. ISRAEL.  
H. Res. 313: Mr. WEINER and Mr. LANTOS.  
H. Res. 471: Mr. WYNN and Mr. DAVIS of Illinois.  
H. Res. 479: Mr. FILNER, Ms. MILLENDER-McDONALD, and Mr. STARK.  
H. Res. 501: Mr. CLAY, Mrs. MCCARTHY of New York, Mr. SMITH of New Jersey, Mr. SHIMKUS, Mr. PENCE, Mr. FRANK of Massachusetts, and Mr. AKIN.  
H. Res. 522: Ms. MCCARTHY of Missouri, Mr. McNULTY, Mr. SERRANO, Mr. LIPINSKI, and Mr. TERRY.  
H. Res. 524: Mr. RUSH, Mr. OWENS, and Mr. ENGLISH.  
H. Res. 526: Mr. ACKERMAN, Mr. BELL, Mr. BLUMENAUER, Mr. CALVERT, Mr. EVANS, Mr. EHLERS, Mr. HOBSON, Mr. LEACH, Ms. LEE, Ms. HARRIS, Mr. MORAN of Virginia, Mr. OWENS, Mr. PAYNE, and Mr. McCOTTER.  
H. Res. 530: Mr. ABERCROMBIE and Mr. CLAY.